



ASHBURTON DISTRICT COUNCIL

AGENDA

For the Council meeting to be held on

**Thursday 15 August 2019
Commencing at 1pm**

**In the Council Chamber
137 Havelock Street, Ashburton**

Watch the live stream of this meeting on our YouTube Channel, Facebook Page,
or at <https://www.ashburtondc.govt.nz/live-stream>

Council Membership

Donna Favel	Mayor
Cr Thelma Bell	Ashburton Ward
Cr Leen Braam	Ashburton Ward
Cr Neil Brown	Ashburton Ward
Cr Russell Ellis	Ashburton Ward
Cr Lynette Lovett	Eastern Ward
Cr Mark Malcolm	Eastern Ward
Cr Liz McMillan	Western Ward
Cr Selwyn Price	Ashburton Ward
Cr Diane Rawlinson	Ashburton Ward
Cr Peter Reveley	Western Ward
Cr Alasdair Urquhart	Ashburton Ward
Cr Stuart Wilson	Eastern Ward

Quorum – no less than seven (7) members

The purpose of local government:

- (1) The purpose of local government is –
 - (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
 - (b) to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.
- (2) In this Act, **good-quality**, in relation to local infrastructure, local public services, and performance of regulatory functions, means infrastructure, services, and performance that are –
 - (a) efficient; and
 - (b) effective; and
 - (c) appropriate to present and anticipated future circumstances.

(Local Government Act 2002 – Amendment Act 2012)

Ashburton District Council
Council Meeting – Thursday 15 August 2019

Timetable	
Time	Item
1pm	Council Meeting commences - Opening Prayer – Pastor Carl Anderson, New Life Church
1.05pm	Ashburton Library & Civic Centre Concept Plan - Shaun Pont, Project Manager (Logic Group) - Trevor Watt, Architect (Athfields)
2.30pm	Experience Mid Canterbury Quarterly Report
2.55pm	Welcome to new and long-serving staff
3pm	Afternoon tea
4.30pm	Ashburton Contracting Ltd Quarterly Report

1 Apologies

2 Extraordinary Business

3 Declarations of Interest

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

4 Confirmation of Previous Minutes

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4.2	Extraordinary Council Meeting – 25/07/19	12

5 Reports

5.1	Ashburton Library and Civic Centre Concept Presentation	Verbal
5.2	Environmental Services Committee — 25/07/19 — Recommendation <i>Receive minutes of meeting</i>	14
5.3	Service Delivery Committee — 25/07/19 — Recommendation <i>Receive minutes of meeting</i>	16
5.4	Finance & Business Support Committee – 1/08/19 — Recommendation <i>Receive minutes of meeting</i> — Recommendation <i>Emergency Relief Fund</i>	19
5.5	East Street Water Feature Notice of Motion	22
5.6	Ashburton Domain Development Plan	28
5.7	Plan Change 2	34
5.8	Bylaw and Policy Subcommittee – 1/08/19 — Recommendation <i>Partnerships with the Private Sector Policy</i> — Recommendation <i>Review of Smoke-free Outdoor Areas Policy</i>	57

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5.14	Experience Mid Canterbury Quarterly Report	116
6	Business Transacted with the Public Excluded	
6.1	Council – 27/06/19	121
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6.2	Extraordinary Council – 25/07/19	123
	<p>[Now in open meeting]</p> <ul style="list-style-type: none"> • Contracts WW-AI10 and WW-AI11 – Wastewater pipeline and Wilkins Rd pumping station • Ashburton Walking & Cycling Strategy 2019 Proposal 	
6.3	Service Delivery Committee – 25/07/19	124
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6.4	Finance & Business Support Committee – 1/08/19	125
	<ul style="list-style-type: none"> • Industrial sections reserve prices Section 7(2)(h) Commercial activities • Commercial Property update Section 7(2)(h) Commercial activities • Eastfield Investments Section 7(2)(h) Commercial activities 	
6.5	EA Shareholders Committee Appointment	126
	Section 7(2)(a) Protection of privacy of natural persons	
6.6	Library & Civic Centre PCG – 29/07/19	128
	Section 7(2)(h) Commercial activities	
6.7	Ashburton Contracting Ltd Quarterly Report	Verbal
	Section 7(2)(h) Commercial activities	

9 August 2019

Council Minutes

4.1 Council 27/06/19

Minutes of the Council meeting held on Thursday 27 June 2019, commencing at 1pm, in the Council Chamber, 137 Havelock Street, Ashburton.

Present

Her Worship the Mayor, Donna Favel; Councillors Thelma Bell, Leen Braam, Neil Brown, Russell Ellis, Lynette Lovett, Mark Malcolm, Liz McMillan, Selwyn Price, Diane Rawlinson, Peter Reveley, Alasdair Urquhart and Stuart Wilson.

In attendance

Chief Executive, Group Manager Business Support, Group Manager Environmental Services, Group Manager Service Delivery, Manager People & Capability and Governance Team Leader.

For the duration of their reports: Acting Commercial Manager, Policy & Strategy Manager, Finance Manager, Assets Manager, Communications Manager and Corporate Planner.

The opening prayer was offered by Rev Henry Mbambo, St David's Church

Presentations

- ECan (CWMS) – 2.33pm
- Deloitte – 4.35pm

1 Apologies

Nil.

2 Extraordinary Business

That pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987 the following item be introduced as extraordinary business and taken with the public excluded as item 6.8:

- Insurance Cover 2019/20 – to be taken with item 5.4
- Dr Hugh Logan (ECan) CWMS Fit for Future Project

Ellis/Rawlinson

Carried

3 Declarations of Interest

Item 6.6 Cr Brown declared an interest and gave notice he would withdraw from debate and voting.

4.1 Confirmation of Minutes – 30/05/19

Cr Mark Malcolm apology recorded.

That the minutes of the Council meeting held on 30 May 2019, as amended, be taken as read and confirmed.

Bell/Price

Carried

4.2 Confirmation of Minutes – 13/06/19

That the minutes of the extraordinary Council meeting held on 13 June 2019, be taken as read and confirmed.

Mayor/Rawlinson

Carried

5.1 Service Delivery Committee – 13/06/19

That the minutes of the Service Delivery Committee meeting, held on 13 June 2019, be received.

Wilson/Price

Carried

5.2 Finance & Business Support Committee – 20/06/19

That the minutes of the Finance & Business Support Committee meeting held on 20 June 2019, be received.

Ellis/Braam

Carried

5.3 Amendment to 2018-28 Long Term Plan

Audit New Zealand's statement has been issued. An updated amendment with changes to pages 13-14 was tabled.

That Council adopts the amendment to the Long Term Plan 2018-28.

Ellis/Lovett

Carried

5.4 Annual Plan 2019-20

• Extraordinary Business – Insurance

The Group Manager Business Support tabled a report seeking additional funding to meet the costs of Council's insurance cover for 2019/20. Information was received yesterday from Council's broker showing significant price increases. Mr Brake advised that Council will need to accept the policies now or run the risk of not having cover.

That Council approves an additional \$137,000 of Council insurance costs from the Disaster Insurance Fund.

Bell/Rawlinson

Carried

• Fees and Charges

Council noted the omission of the airport landing fee from the fees and charges schedule. It was agreed to include the fee this year and discuss with the Airport Subcommittee whether it needs to be increased in the future.

That Council amends the Fees and Charges Schedule to include a \$5 landing fee at the Ashburton Airport.

Ellis/Braam

Carried

That Council amends the Fees and Charges Schedule to extend the free swim pass for people aged over 80 to users of the Tinwald Pool.

Mayor/Rawlinson

Carried

That Council adopts the Ashburton District Council Annual Plan 2019/20; and

That Council delegates to the Chief Executive the authority and responsibility to make minor editorial changes and correction of minor errors to the Annual Plan 2019/20 document.

Ellis/Brown

Carried

5.5 Setting of Rates for 2019/20

That the Ashburton District Council sets the following rates under the Local Government (Rating) Act 2002 on rating units in the district for the financial year commencing on 1 July 2019 and ending on 30 June 2020.

All section references are to sections in the Local Government (Rating) Act 2002.

All amounts are GST inclusive.

The definition of connected and serviceable is contained in Council's Funding Impact Statement – Rating Policy and Schedule of Rates

- *The definition of separately used or inhabited part of a rating unit is contained in Council's Funding Impact Statement – Rating Policy and Schedule of Rates*
- *The definition for the amenity rating areas is contained within Council's Funding Impact Statement – Rating Policy and Schedule of Rates*

Uniform Annual General Charge (UAGC)

A uniform annual general charge of \$591.20 per separately used or inhabited part of a rating unit, set under section 15.

The Uniform Annual General Charge (UAGC) funds wholly or in part the following activities of Council:

- Recreation facilities
- Community development
- Arts and culture
- Civil defence
- Community grants
- Library
- Public conveniences
- Democracy and governance
- Environmental health

General Rate

A general rate set under section 13 of \$0.000306 per dollar of capital value on each separately used or inhabited part of a rating unit in the district.

The general rate will be used to fund either wholly or in part the following activities of Council:

- Footpaths
- Stormwater
- Solid waste management
- Civil defence
- Community development
- Memorial halls
- Environmental services
- Water zone committee
- Solid waste collection
- Forestry
- Cemeteries
- Stockwater
- Reserve boards
- Reserves and campgrounds
- Parks and reserves
- Democracy and governance
- Commercial property
- Business development
- District promotion
- Non allocated

Roading Rate

A targeted rate for road services set under section 16 of \$0.000465 per dollar of capital value on each separately used or inhabited part of a rating unit in the district.

Water Supply Rates

The following differential targeted rates are set under section 16 for each water supply area listed below. In each case the differential categories are:

- (1) connected rating units
- (2) serviceable rating units

The targeted rates are set as a fixed amount per separately used or inhabited part of a rating unit. Rating units outside the defined water supply areas listed below, but which are nonetheless connected to a water supply scheme servicing a particular water supply area, will be charged the connected rate for that water supply area

	Connected	Serviceable
Ashburton urban	\$450.20	\$225.10
Lake Hood	\$450.20	\$225.10
Methven	\$450.20	\$225.10
Rakaia	\$450.20	\$225.10
Fairton	\$450.20	\$225.10
Hakatere	\$450.20	\$225.10
Hinds	\$450.20	\$225.10
Mayfield	\$450.20	\$225.10
Chertsey	\$450.20	\$225.10
Mt Somers	\$450.20	\$225.10
Dromore	\$450.20	\$225.10

Water Meters – Extraordinary and Non-residential Supply

In addition to the above targeted rates, a targeted rate for water supply, set under section 19, will apply for:

- a) Rating units which fall outside a defined water supply area, but which are nonetheless connected to a water supply scheme servicing a water supply area (except Methven-Springfield, Montalto, Lyndhurst and Barrhill).
- b) Rating units which are used for non-residential purposes and which are connected to a water supply scheme in a water supply area (except Methven-Springfield, Montalto, Lyndhurst and Barrhill).

The rate is 96 cents per 1,000 litres of water consumed in excess of 90 cubic metres consumed in the quarterly periods during each year. The quarterly periods are 1 July to 30 September, 1 October to 31 December, 1 January to 31 March, and 1 April to 30 June.

Methven-Springfield Water Supply Rate

A targeted rate under section 16 of \$1,975.70 on all rating units connected to the Methven-Springfield water supply scheme, plus \$164.70 per 1,000 litres of water supplied in excess of 12,000 litres to any rating unit within the Methven/Springfield water supply scheme.

Montalto Water Supply Rate

A targeted rate under section 16 of \$1,168.20 per rating unit in the Montalto water supply scheme, plus \$36.80 per hectare of land in the Montalto water supply scheme.

Lyndhurst Water Rate

A targeted rate under section 16 of \$191.90 on all rating units connected to the Lyndhurst water supply.

Barrhill Village Water Rate

A targeted rate under section 16 of \$487.80 on all rating units within the proposed scheme boundary for the Barrhill Village water supply.

Wastewater Disposal Rates

The following differential targeted rates are set under section 16 for wastewater (sewage) disposal for the Ashburton urban area, Methven and Rakaia townships, and a further loan rate in the Rakaia township, as listed below. In each case the differential categories are:

- (1) connected rating units
- (2) serviceable rating units

The targeted rates are set as a fixed amount per separately used or inhabited part of a rating unit.

	Connected	Serviceable
Ashburton	\$452.50	\$226.30
Methven	\$266.80	\$133.40
Rakaia	\$391.80	\$195.90
Rakaia Loan Rate	\$183.00	\$91.50

The following additional targeted rates are set under section 16 for wastewater disposal on connected rating units within the Ashburton urban area, Methven and Rakaia townships as listed below. These rates are set differentially based on location and the number of urinals / pans in excess of three, in each rating unit, as listed below.

	Urinal / pan charge from 4+
Ashburton	\$150.90
Methven	\$89.00
Rakaia	\$130.60

Solid Waste Collection Rates

The following targeted rates are set under section 16 for waste collection for each area to which the service is provided as listed below. The targeted rates are set as a fixed amount per separately used or inhabited part of a rating unit.

Ashburton Urban	\$218.00
Ashburton CBD (Inner)	\$432.80
Methven	\$218.00
Rakaia	\$218.00
Hinds	\$218.00
Mayfield	\$218.00
Mt Somers	\$218.00
Chertsey	\$218.00
Lake Clearwater	\$32.40
Rangitata	\$66.40
Ashburton District Extended	\$218.00

Stockwater Rate

A targeted rate under section 16 on all rating units within the general stockwater scheme. The rate is to be determined in accordance with the following factors:

- a) a rate of \$92.90 where the total length of any stockwater races, aqueducts or water channels that pass through, along, or adjacent to, or abuts the rating unit does not exceed 161 metres in length; and

- b) a rate of 58 cents per metre where the total length of any stockwater races, aqueducts or water channels that pass through, along, or adjacent to, or abuts the rating unit exceeds 161 metres in length; and
- c) a rate of \$115.40 for each pond service, pipe service, ram service, pump service, water wheel or windmill; and
- d) a rate of \$57.70 for each dip service or extension pump service using water from the Council's water race system.

Amenity Rates

Targeted rates for amenity services under section 16 are as follows:

Ashburton CBD (Inner) Footpath Cleaning Rate

\$0.000292 per dollar on the capital value of every business rating unit within the Ashburton CBD (Inner) rating area (as more particularly described by reference to the Ashburton District Council Rating Areas Map Book), for footpath services.

Ashburton Urban Amenity Rate

\$0.000738 per dollar of capital value of every rating unit in the Ashburton urban area excluding Lake Hood (as more particularly described by reference to the Ashburton District Council Rating Areas Map Book) to meet the costs of stormwater services, footpaths and parks and open spaces funding.

Ashburton Urban Amenity Rate – Lake Hood

\$0.000738 per dollar of capital value of every rating unit in the Ashburton urban area for Lake Hood (as more particularly described by reference to the Ashburton District Council Rating Areas Map Book) to meet the costs of stormwater services, footpaths and parks and open spaces funding.

Ashburton Business Amenity Rate

\$0.000461 per dollar on the capital value of every business rating unit within the Ashburton urban area excluding Lake Hood (as more particularly described by reference to the Ashburton District Council Rating Areas Map Book) for the provision of district promotion and public conveniences.

Ashburton Business Amenity Rate – Lake Hood

\$0.000461 per dollar on the capital value of every business rating unit within the Ashburton urban area for Lake Hood (as more particularly described by reference to the Ashburton District Council Rating Areas Map Book) for the provision of district promotion and public conveniences.

Methven Business Amenity Rate

\$0.000495 per dollar on the capital value of every business rating unit within the Methven township area (as more particularly described by reference to the Ashburton District Council Rating Areas Map Book), for the purposes of district promotion and public conveniences.

Methven Amenity Rate

\$0.000590 per dollar on the capital value of every rating unit within the Methven township (as more particularly described by reference to the Ashburton District Council Rating Areas Map Book), to meet the costs of stormwater services, footpaths, parks and open spaces and reserve board funding.

Rakaia Business Amenity Rate

\$0.000564 per dollar on the capital value of every business rating unit within the Rakaia township (as more particularly described by reference to the Ashburton District Council Rating Areas Map Book), for the provision of district promotion and public conveniences.

Rakaia Amenity Rate

\$0.000582 per dollar on the capital value of every rating unit within the Rakaia township (as more particularly described by reference to the Ashburton District Council Rating Areas Map Book), to meet the costs of stormwater services, footpaths, parks and open spaces and reserve board funding.

Hinds Stormwater Rate

\$0.000057 per dollar on the capital value of every rating unit within the Hinds township area for the provision of stormwater services.

Rural Amenity Rate

\$0.000013 per dollar on the capital value of every rating unit within the rural area, excluding the townships of Methven and Rakaia, for the provision of footpaths and parks and open spaces

Methven Community Board Rate

A targeted rate to fund the Methven Community Board under section 16 of \$77.80 per rating unit within the Methven township (as more particularly described by reference to the Ashburton District Council Rating Areas Map Book).

Mt Hutt Memorial Hall Rate

A targeted rate to partially fund the Mt Hutt Memorial Hall under section 16 of \$0.000063 per dollar on the capital value of each rating unit in the Methven township (as more particularly described by reference to the Ashburton District Council Rating Areas Map Book).

Due dates for payment of rates

That rates will be payable in four equal instalments due on:

- 20 August 2019
- 20 November 2019
- 20 February 2020
- 20 May 2020

Where the 20th of a month in which rates are due does not fall on a working day, rate payments will be accepted without penalty up to and including the first working day after the 20th of that month.

Due dates for payment of water by meter charges

That water by meter charges are due on:

Quarterly Period	Reading Dates Completed	Invoice Due
1 July to 30 September 2019	15 October 2019	20 November 2019
1 October to 31 December 2019	15 January 2020	20 February 2020
1 January to 31 March 2020	15 April 2020	20 May 2020
1 April to 30 June 2020	15 July 2020	20 August 2020

Penalties

In accordance with sections 57 and 58, the Council authorises the Finance Manager to add the following penalties on rates unpaid by the due date.

A 10% penalty will be added to instalment balances remaining unpaid as at the following dates:

- 21 August 2019
- 21 November 2019
- 21 February 2020
- 21 May 2020

In addition a further penalty of 10% will be added to any unpaid rates and charges levied prior to 30 June 2019, if still unpaid as at 31 August 2019.

Ellis/Rawlinson

Carried

5.6 Baring Square East Masterplan

- 1 **That** Council invites Athfield Architects and Aecom to submit a price for the development of a masterplan for Baring Square East which includes its integration with the new library and civic centre and the adjacent streetscape.
- 2 **That** the cost of preparing the masterplan be met from the Reserve Contribution Fund.

Brown/McMillan

Carried

5.7 Methven Dog Park – Commissioner’s Recommendations

- 1 **That** Council adopts the recommendations of the Independent Commissioner, appended to this report, on the Notice of Requirement for a dog park for use by the general public at Pt Lot o4 DP 3835 on Line Road and Dolma Street, Methven.
- 2 **That** the costs of landscaping associated with the dog park and the repair of fencing, be met from the Reserve Contribution Fund.

McMillan/Reveley

Carried

5.8 Statement of Proposal – Draft Water Races Bylaw 2019

That Council adopts the statement of proposal to amend the Ashburton District Water Races Bylaw as the basis for consultation using special consultative procedure under s. 86 of the Local Government Act 2002

Reveley/Brown

Carried

5.9 Climate Change Response (Zero Carbon) Amendment Bill

Standing Operating Procedures will be included with the Statement of Proposal on the ADC website.

Council supported the submissions of the Canterbury Mayoral Forum, and LGNZ, and approved the ADC submission with amendment. It was noted that the Mayoral Forum submission arrived after the ADC submission was written.

- 1 **That** Council receives the report; and
- 2 **That** Council supports the submissions of the Canterbury Mayoral Forum and the Local Government submission and approves the Ashburton District submission, as amended.

Braam/Brown

Carried

Cr Ellis abstained on basis that he hasn't read the LGNZ submission.

Extraordinary Business – Canterbury Water Management Strategy

Dr Hugh Logan and Dann Olykan (ECan) were welcomed to the meeting to present the Canterbury Mayoral Forum's decision on the Canterbury Water Management Strategy (CWMS) Fit for Future Project.

Dr Logan outlined the background to the CWMS which has been in place since 2008. He referred to the new set of targets and goals that have been developed for the Strategy.

Council noted that the Canterbury Mayoral Forum has approved the CWMS goals for 2025 and 2030, and that the CMF has asked ECan to work with TAs, Ngai Tahu, industry and community partners to develop a regional work programme, with an implementation plan and monitoring framework to deliver the goals. Implementation to deliver the goals will have resource implications that councils will need to consider in adopting annual plans for 2020/21 and LTPs for 2021-31.

That Council notes that

- 1) the Canterbury Mayoral Forum has approved CWMSK goals for 2025 and 2030;

- 2) the Canterbury Mayoral Forum has asked Environment Canterbury to work with territorial authorities, Ngai Tahu, industry and community partners to develop a regional work programme, with an implementation plan and monitoring framework to deliver the goals
- 3) that implementation to deliver the goals will have resource implications that councils will need to consider in adopting annual plans for 2020/21 and long-term plans for 2021-31.

Mayor/Bell

Carried

Long Serving Staff

Council acknowledged the long service of Steve Prescott, Sports Facilities Manager (5 years), and Craig Goodwin, Waste Manager (5 years).

The Mayor invited guests and members of the public to join Council for afternoon tea.

The meeting was adjourned from 3.06pm to 3.20pm.

5.10 Corporate Risk Policy

That Council adopts the revised Corporate Risk Policy 2019.

Ellis/Braam

Carried

5.11 East Street Water Feature

The recommendation to relocate the water feature to the Ashburton Domain wasn't fully supported. Councillors generally agreed that the CBD upgrade would be restricted if the water feature is left on East Street. There was also a view that the Domain may not be the best place to relocate to. Those opposing commented on the historical importance of the water feature in its current location, and that relocation would cause unnecessary cost and disruption.

That Council relocates the East Street water feature into the Ashburton Domain.

Rawlinson/Reveley

Carried

A show of hands gave 9 for and 4 against and the motion was passed.

5.12 Mayor's Report

• Hekeao-Hinds Water Enhancement Trust

The Mayor has been appointed as the Trust Chair.

The Trust hasn't supported Council's request to amend the Trust Deed to show that the 75% requirement to modify or amend the term of the Deed must include the ADC within the 75%. Consequently there will be no amendment to Cl14 of the Deed.

That the Mayor's report be received.

Mayor/Bell

Carried

• LGNZ Remits

The Mayor sought Council's view on the remits proposed for consideration at the LGNZ annual general meeting.

Council supported Remits 1, 2, 3, 6, 7, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 24; and opposed Remits 4, 5, 8, 9, 22, 23. The Mayor will make her decision on Remit 13 after hearing debate at the AGM.

Council will be updated on the outcome of the Remits in the Mayor's report on 15 August.

6 Business transacted with the public excluded – 4.31pm

That the public be excluded from the following parts of the proceedings of this meeting, namely – the general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item no	General subject of each matter to be considered:	In accordance with Section 48(1) of the Act, the reason for passing this resolution in relation to each matter:	
6.1	Council Minutes 30/05/19 <ul style="list-style-type: none"> • Art Gallery & Heritage Centre • ACL Quarterly report • Glasgow lease freeholding • Land acquisition • Sale of land • Deed of Surrender of Lease • Lake Hood Extension Project • Property maintenance EANC <p>[now in open meeting]</p> <ul style="list-style-type: none"> • Grants & funding • Emissions trading scheme 	Section 7(2)(h) Section 7(2)(h) Section 7(2)(h) Section 7(2)(h) Section 7(2)(h) Section 7(2)(h) Section 7(2)(h) Section 7(2)(h)	Commercial activities Commercial activities Commercial activities Commercial activities Commercial activities Commercial activities Commercial activities Commercial activities
6.2	Extraordinary Council 13/06/19 <ul style="list-style-type: none"> • ABE Pricing schedule • Land purchase <p>[now in open meeting]</p> <ul style="list-style-type: none"> • ABE Pricing schedule (cl 3,4, 5) 	Section 7(2)(h) Section 7(2)(h)	Commercial activities Commercial activities
6.3	Service Delivery Committee 13/06/19 <ul style="list-style-type: none"> • Land purchase 	Section 7(2)(h)	Commercial activities
6.4	Finance & Business Support 20/06/19 <ul style="list-style-type: none"> • Rezoning Land 	Section 7(2)(h)	Commercial activities
6.5	Ashburton Library & Civic Centre PCG 31/05/19	Section 7(2)(h)	Commercial activities
6.6	Lake Hood Extension Project	Section 7(2)(h)	Commercial activities

Ellis/Bell

Carried

Business transacted with the public excluded now in open meeting

• Ashburton Library and Civic Centre – Tender for Demolition

- 1 **That** ADC engage Frews Contracting Limited as the contractor for undertaking the demolition.
- 2 **That** total financial commitment to ADC for this commission to Frews Contracting as quoted shall not exceed \$248,775.00 (excluding GST). The process of engaging Frews will require that the quote is tested, and no deviations arise in negotiating the contract. On this basis the savings that this price reflect against the budget should not be taken up until the contract is fully executed and the balance of the budget held as a contingency.
- 3 **That** Council notes that should this contract not be executed that the 2nd and 3rd place parties have non compliances in their offers that would need to be resolved. The 4th place party is close to the budget set and as such the budget needs to be held in contingency.
- 4 **That** the construction budget for the demolition was market tested early in the design process and was assessed at \$485,000.00 (excluding GST).
- 5 **That** Frews Contracting Ltd enter into contract under industry standard NZS 3910-2013 contract.

- 6 **That** works to commence immediately following the execution of the agreement between parties; 5th July 2019 site possession for most of the site and possession of Paul May Motors 5th August 2019.
- 7 **That** works to be complete in accordance with a programme, to be confirmed, but expected to be late September 2019.

Ellis/Braam

Carried

The meeting concluded at 6.05pm.

Confirmed 15 August 2019

MAYOR

Council Minutes

4.2 Extraordinary Council 25/07/19

Minutes of the Extraordinary Council meeting held on Thursday 25 July 2019, commencing at 5.10pm in the Council Chamber, 137 Havelock Street, Ashburton.

Present

Her Worship the Mayor, Donna Favel; Councillors Thelma Bell, Leen Braam, Neil Brown, Russell Ellis, Lynette Lovett, Mark Malcolm, Liz McMillan, Selwyn Price, Diane Rawlinson, Peter Reveley, Alasdair Urquhart and Stuart Wilson.

In attendance

Chief Executive, Manager People & Capability, Group Manager Business Support, Group Manager Environmental Services, Group Manager Service Delivery, Projects & Operations Manager, Roading Manager, Assets Manager, Communications Manager and Governance Team Leader.

1 Apologies

Nil.

2 Extraordinary Business

Nil.

3 Declarations of Interest

Nil.

4 Appointment Process for Ashburton Contracting Limited Directors

That Council approves the appointment committee for Ashburton Contracting Limited (ACL) director recruitment process(es) to consist of the Mayor, the Chairperson of Finance and Business Support Standing Committee, ADC Chief Executive and ACL Board Chair; until such time that the *Appointment & Remuneration of Directors of Council Organisations Policy* is reviewed.

Mayor/Lovett

Carried

Business transacted with the public excluded (5.16pm)

That the public be excluded from the following parts of the proceedings of this meeting, namely – the general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered:

- Contracts WW-AI10 & WW-AI11 – Wastewater pipeline and pumping station
- Contract for Proposal – Walking & Cycling Strategy

In accordance with Section 48(1) of the Act, the reason for passing this resolution in relation to each matter:

- | | |
|-----------------|-----------------------|
| Section 7(2)(h) | Commercial activities |
| Section 7(2)(h) | Commercial activities |

Price/Rawlinson

Carried

Business transacted with the public excluded now in open meeting

Contracts WW-AI10 and WW-AI11

– Wastewater Pipeline (River Crossing) and Wilkins Road Pumping Station

- 1 **That** Council accepts the tender for WW-AI10 Ashburton Wastewater Pipeline River Crossing from Seipp Construction Limited in the amount of \$3,099,365.82.
- 2 **That** Council accepts the tender for WW-AI11 Wilkins Road Wastewater Pumping Station from Seipp Construction Limited in the amount of \$3,768,487.28 (excl GST); and
- 3 **That** Council approves a contingency amount of \$832,146.90 for unforeseen circumstances.

Wilson/Braam

Carried

Ashburton Walking & Cycling Strategy 2019 Proposal

- 1 **That** Council accepts the Abley proposal for the Ashburton Walking and Cycling Strategy 2019 document preparation in the amount of \$63,000; and
- 2 **That** Council approves that funding for this Strategy is initially from the Unsubsidised Road Projects activity, with officers to seek approval from NZTA for this project to be subsidised work.

Mayor/Rawlinson

Carried

The meeting concluded at 5.51pm.

Confirmed 15 August 2019

MAYOR

Committee Minutes

5.2 Environmental Services Committee

Minutes of the Environmental Services Committee meeting held on Thursday 25 July 2019, commencing at 1.30pm, in the Council Chamber, 137 Havelock Street, Ashburton.

Present

Mayor Donna Favel; Councillors Peter Reveley (Chair), Thelma Bell, Leen Braam, Neil Brown, Russell Ellis, Lynette Lovett, Liz McMillan, Mark Malcolm, Selwyn Price, Diane Rawlinson, Alasdair Urquhart and Stuart Wilson.

In attendance

Chief Executive, Group Manager Environmental Services, Building Services Manager, District Planning Manager, Environmental Monitoring Manager, Communications Manager and Governance Support Officer (Carol McAtamney).

5 members of the public.

Presentation

Heritage New Zealand – 1.30pm – 1.45pm

1 Apologies

Nil.

2 Extraordinary Business

Nil.

3 Declarations of Interest

Nil.

Heritage New Zealand

Andrew Coleman, Chief Executive of Heritage NZ, was welcomed to the meeting.

Mr Coleman extended congratulations to Council for the role it has played in protecting and restoring the Allens Road Chinese Settlement Village which has received an archaeological declaration, making it the seventh post-1900 site with this status in New Zealand. Mr Coleman encouraged Council officers to continue to work with Heritage NZ officers as to how they can assist and invest in this project going forward.

When travelling throughout the district he noted that Ashburton has a great portfolio of heritage and advised that Ashburton is leading the country in recognising these sites with the blue plaque project. Mr Coleman urged the promotion of a heritage trail in the district. Historic Places Mid Canterbury had produced a heritage brochure prior to the Canterbury earthquakes and would look into updating this brochure.

The presentation concluded at 1.45pm.

4 Confirmation of Minutes

That the minutes of the Environmental Services Committee meeting held on 2 May 2019, be taken as read and confirmed.

Malcolm/Urquhart

Carried

5.1 Proposed New Road Name – Camrose Estate, Methven

That the roads to be vested in Council as part of Subdivision SUB18/0013 be named Memorial Crescent and Gleniffer Place.

McMillan/Price

Carried

6 Activity Reports

That the reports be received.

Rawlinson/Urquhart

Carried

6.3 Regulatory

6.3.2 • Animal Control Statistics

An annual report on dog control statistics for the year will be presented at the next meeting.

6.5 Town Centre

Minutes of the working group meeting held on 20 June 2019 were received. Council will consider the East Street water feature relocation at its meeting on 15 August 2019.

7 Business transacted with the public excluded (1.58pm)

That the public be excluded from the following parts of the proceedings of this meeting, namely – the general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item no	General subject of each matter to be considered:	In accordance with Section 48(1) of the Act, the reason for passing this resolution in relation to each matter:	
7.1	Town Centre Working Group 13/06/19	Section 7(2)(h)	Commercial activities

Mayor/Brown

There being no resolutions passed, the Committee resumed in open meeting and concluded at 2.00pm.

Committee Minutes

5.3 Service Delivery Committee

Minutes of the Service Delivery Committee meeting held on Thursday 25 July 2019, commencing at 2.19pm the Council Chamber, 137 Havelock Street, Ashburton.

Present

Mayor Donna Favel; Councillors Stuart Wilson (Chair), Thelma Bell, Neil Brown, Russell Ellis, Lynette Lovett, Liz McMillan, Mark Malcolm, Selwyn Price, Diane Rawlinson, Peter Reveley and Alasdair Urquhart.

In attendance

Chief Executive Officer, Group Manager Service Delivery, Assets Manager, District Librarian, Museum Director, Open Spaces Manager, Recreation Service Manager, Projects & Operations Manager, Roading Manager, Waste Recovery Manager; Communications Manager and Governance Support Officer (Tanya Twiname).

One member of the public.

1 Apologies

For lateness – Crs Selwyn Price (2.20pm) and Leen Braam (2.25pm).

2 Extraordinary Business

Nil.

3 Declarations of Interest

Nil.

4 Confirmation of Minutes

That the minutes of the Service Delivery Committee meeting held on 13 June 2019, be taken as read and confirmed.

Brown/Urquhart

Carried

5.1 Maronan Road (Bridge 72) Guardrail Installation

That the Committee approves the expenditure of up to \$200,000 to make safety improvements to Bridge 72 on Maronan Road.

Ellis/Lovett

Carried

5.2 Beach Road Watermain – Reconsideration of Extension

The issue arose of not having another scheme as a comparison, and the fairness of the parties involved paying 100% of costs. There was discussion on the costing and putting the watermain extension on hold. The Committee decided that a policy needs to be made for future watermain extensions outside the town boundary.

That the Committee approves

1. the construction and initial funding of a 150mm diameter watermain extension in Beach Road East from Trevors Road toward the south-east, a distance of approximately 840 metres;
2. the part recovery of the construction cost through lump sum contribution from the connecting landowners (totalling an estimated \$70,000 exclusive GST); and
3. recovery of the balance of the construction costs from each property as they connect to the watermain in future (estimated at \$6,352 exclusive GST, and to be indexed to inflation), with this charge to be incorporated into the 2020/21 Annual Plan.

4. That a policy be developed for watermain and wastewater extensions that are outside town boundaries.

Braam/Brown

Carried

6 Activity Reports

That the reports be received.

McMillan/Reveley

Carried

6.1 Library

The Committee discussed the relationship with the rural libraries. They receive grants and can borrow books from the main library for their stock except books less than a year old.

6.2 Museum

6.2.2 • Caring for Collections

The Museum Director said there is several years of work to be inventoried, and could not comment on what was done in the past. Storage of newspapers was not practical as the storage shelves are not deep enough, and now newspapers are frequently on line. The Historical Society owns some of the items and the ADC owns the rest.

6.2.3 EA Networks Centre

The Recreation Services Manager confirmed the new inflatable toy for the pool will be ready for the next school holidays. The school holiday programme had 37 children per day, with various activities on offer.

The shortage of instructors was confirmed, and the shift to parents seeking individual tutors, which affects the numbers in classes. The Committee questioned if this shortage could impact on the LTP to build a bigger pool, but the Recreation Services Manager suggested having a bigger pool would allow for more classes to be held. He confirmed that the figure given for the gym in the end of year performance update (1634) is at full capacity. He also confirmed the closedowns were for maintenance – tiling in the pool and installing curtain dividers in the stadium.

6.4 Open Spaces

The Committee extended its appreciation to the Open Spaces Manager and staff involved in the successful application for funding for the Rakaia toilets upgrade.

The meeting adjourned from 3.33pm to 3.45pm.

6.7 3 Waters Capital Projects

The Projects and Operations Manager referred to the completion of the Chalmers Avenue upgrade, and confirmed that staff were aware of the effects of the recent wet weather on the road and that final reinstatement is expected for the end of July. ACL are addressing any issues.

6.18 Methven Community Board

• Methven water and wastewater

That the Methven Community Board be updated on planned work and the future of the Methven water supply and wastewater infrastructure.

McMillan/Reveley

Carried

• Speed limit review

That Dolma Street, Line Road and Barkers Road in Methven be considered for Council's speed limit review.

McMillan/Reveley

Carried

- **Methven cemetery tree removal**

That the Pinus radiata trees immediately adjacent to the eastern boundary of the Methven Cemetery be harvested with the income returned to the Methven cemetery account.

Ellis/Bell

Carried

6.19 Reports from Joint Committee Meetings

Cr Rawlinson raised the matter of having a mobility car park outside Paper Plus to be able to be utilised by users of the Post Shop, which was recently relocated to the Paper Plus premises. The Service Delivery Group Manager is aware of the request.

7 Business transacted with the public excluded (4.42pm)

That the public be excluded from the following parts of the proceedings of this meeting, namely – the general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item no	General subject of each matter to be considered:	In accordance with Section 48(1) of the Act, the reason for passing this resolution in relation to each matter:	
7.1	Confirmation of Minutes 13/06/19	Section 7(2)(h)	Commercial activities
7.2	Land Purchase	Section 7(2)(h)	Commercial activities

The meeting concluded at 5.03pm.

Committee Minutes

5.4 Finance & Business Support Committee

Minutes of the Finance & Business Support Committee meeting held on Thursday 1 August 2019, commencing at 1.30pm in the Council Chamber, 137 Havelock Street, Ashburton.

Present

Mayor Donna Favel; Councillors Russell Ellis (Chair), Thelma Bell, Leen Braam, Neil Brown, Lynette Lovett, Mark Malcolm, Liz McMillan, Peter Reveley, Alasdair Urquhart and Stuart Wilson.

In attendance

Chief Executive, Group Manager Business Support, Group Manager Environmental Services, Group Manager Service Delivery (until 2.23pm), Commercial Manager, Strategy & Policy Manager, Communications Manager, Information Systems Manager, Policy Adviser, Welcoming Communities Advisor and Governance Team Leader.

1 Apologies

Crs Selwyn Price and Diane Rawlinson

Sustained

2 Extraordinary Business

Nil.

3 Declarations of Interest

Nil.

4 Confirmation of Minutes

That the minutes of the Finance and Community Services Committee meeting held on 20 June 2019, be taken as read and confirmed.

Braam/Bell

Carried

5.1 Emergency Relief Fund

Recommendation to Council

1 **That** Council approves the establishment of an Emergency Relief Fund.

2 **That** Council delegates the management and distribution of the fund to the Executive Committee.

Mayor/Ellis?

Carried

5.2 Local Government Funding and Financing

A draft submission will be prepared by the Executive Committee for Council's consideration on 15 August.

That Council receives the report.

Braam/Bell

Carried

6 Activity Reports

That the reports be received.

Wilson/Brown

Carried

6.1 Strategy & Policy

- **Welcoming Communities**

The Committee heard that Immigration NZ have offered an additional \$20,000 to Council's Welcoming Communities project. The Strategy & Policy Manager confirmed that the use of the additional funding will be discussed with Selwyn District Council as Council's partner in this programme.

The recently appointed Welcoming Communities Advisor, Janice McKay was introduced.

6.3 Communications

- **Digital communications**

The Communications Manager commented on the new digital signage system that has been installed in the former i-Site building to showcase information related to the CBD streetscape project. A second screen will be installed in the Council office foyer.

- **Festive lighting**

The Committee will be updated at the next meeting on planning for the Christmas 'Light up the Night' event, along with information on the street flags and LED feature lighting (clocktower).

- **Live-streaming meetings**

A report will be provided in September on the outcome of the trial of live-streaming. The Communications Manager advised that on-demand viewing is currently higher than live viewing.

6.4 Finance

- **Variance Report**

The May 2019 report was received for discussion. The June report has been delayed until next week to include as many of the end of year financials as possible.

- **Stockwater operating expenditure**

That the Committee be provided with a report on the stockwater operating expenditure deficit.

Reveley/Brown

Carried

- **EA Networks Centre pool extension**

The Committee agreed that the timing of this work needs review. It was noted that the current budget provides for design work (\$100k) to start this year. Officers will prepare a business case to review the timing of the project and the impact it will have on debt levels.

6.5.1 Audit & Risk Subcommittee

That the minutes of the Audit & Risk Subcommittee meeting held on 19 June 2019 be received.

Braam/Bell

Carried

6.5.2 Airport Authority Subcommittee

That the minutes of the Airport Authority Subcommittee meeting held on 19 June 2019 be received.

Malcolm/Urquhart

Carried

- **Development at Ashburton Airport**

That pending a development plan all applications for buildings shall be approved by the Airport Authority.

Malcolm/Urquhart

Carried

The Commercial Manager met with RD Petroleum this week to discuss options for the fuel tanks at the airport which are nearing the end of life. This will be further discussed by the Subcommittee in August.

6.5.4 Reserve Boards

The Manager People & Capability reported that responses to the reserve board survey are being reviewed by the Leadership Team and the outcome will be reported back to Council in due course. Boards were asked to provide comment on their long term strategies.

The Group Manager Business Support advised that the reserve board operational expenditure has been prepared, as requested by the Committee, and will be circulated for consideration at the 12 September meeting.

The Committee adjourned for afternoon tea from 2.52pm to 3.05pm.

7 Business transacted with the public excluded (3.05pm)

That the public be excluded from the following parts of the proceedings of this meeting, namely – the general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item no	General subject of each matter to be considered:	In accordance with Section 48(1) of the Act, the reason for passing this resolution in relation to each matter:	
7.1	Confirmation of Minutes 20/06/19	Section 7(2)(h)	Commercial activities
7.2	Audit & Risk Subcommittee 19/06/19	Section 7(2)(h)	Commercial activities
7.3	Industrial Sections reserve prices	Section 7(2)(h)	Commercial activities
7.4	Commercial Property	Section 7(2)(h)	Commercial activities
7.5	Eastfield Investments	Section 7(2)(h)	Commercial activities

Mayor/Lovett

Carried

The meeting concluded at 4pm.

REPORT

Date: 15 August 2019
Report to: Council
From: Chief Executive
Subject: Notice of Motion

5.5 Notice of Motion – East Street Water Feature

5.5.1 Summary

This report sets out the statutory process that the Chief Executive is required to follow in response to the elected members' Notice of Motion. **Appendix 1**

5.5.2 Recommendation

That the report and Notice of Motion be received.

Revocation of Council motion

That Council's decision of 27 June 2019, to relocate the East Street water feature to the Ashburton Domain, be revoked.

5.5.3 Background

On 5 July 2019, the Chief Executive was presented with a Notice of Motion seeking reconsideration of Council's decision of 27 June 2019 in respect to the East Street water feature:

***That** Council relocates the East Street water feature to the Ashburton Domain.*

Rawlinson/Reveley

Carried

The Notice of Motion was signed by the Deputy Mayor Neil Brown and Councillors Leen Braam, Russell Ellis, Mark Malcolm and Stuart Wilson.

The process for Council's reconsideration of the decision to relocate the East Street water feature to the Ashburton Domain has commenced at the request of the Deputy Mayor whose Notice of Motion seeks that this revocation be considered by Council on 15 August 2019. The Notice of Motion states that the reason for revoking the resolution is that there has been no public consultation or input from the community on the proposal to relocate the East Street water feature.

Council will recall that when the Town Centre Working Group met recently to look at the preliminary design work for the CBD streetscape upgrade it was evident from the landscape architect's plans that retaining the water feature on its current site will at least partially compromise the overall streetscape design. The landscape architects have shown that it is possible to work around the water feature, but this would compromise to some degree the design for the cycleway and pathways.

The option of relocating the water feature to a couple of potential sites at the Ashburton Domain found favour with some of the Working Group.

With the CBD redevelopment project moving into the detailed design phase, the Working Group acknowledged the need for a prompt decision on the future of the water feature. Members generally agreed that making a decision now to relocate (or not) the water feature would allow the detailed design work to be completed without constraint.

A report from the Group Manager Environmental Services, following the Working Group, meeting sought Council's direction.

Appendix 2

When Council debated this matter on 27 June, the majority supported the recommendation to relocate the water feature to the Ashburton Domain (9 for and 4 against). Three Councillors opposed any relocation and one Councillor, while not directly opposed, suggested that the Domain should not be the only alternative considered.

Officers started work to modify the draft Ashburton Domain Development Plan to take into account the possibility of the water feature being relocated. This also reflects discussion at the Town Centre Working Group meeting where it was generally agreed that site options within the Domain could be further explored as part of the overall proposal and process (including community consultation) for the Ashburton Domain development.

Council will also be considering the draft Ashburton Domain Development Plan at the Council meeting on 15 August. This consideration will be after considering the Notice of Motion considered in this report, thus allowing the Development Plan to reflect Council's wishes in relation to the water feature.

5.5.4 Options and Risks Considered

Council may choose to revoke the motion of 27 June 2019, or decline to revoke the motion.

Revoking the motion essentially means Council has made no decision in relation to the water feature, thus leaving it where it is (unless a future decision alters that status quo situation).

If the decision is not revoked, Council's decision to relocate the water feature to the Ashburton Domain stands, with the specifics of that relocation subject to the process to finalise the Ashburton Domain Development Plan.

5.5.5 Statutory Implications

Council's Standing Orders (SO 23.1) require that a notice of motion for the revocation or alteration of all or part of a previous resolution of the local authority must set out:

- a) the resolution or part of the resolution which the member proposes to revoke or alter;
- b) the meeting date when the resolution was passed;
- c) the motion, if any, which the member proposes to replace it with; and
- d) sufficient information to satisfy the decision-making provisions of sections 77-82 of the LGA 2002.

5.5.6 Significance and Engagement

It is Council's decision to revoke or uphold a previous motion. This in itself is not considered to be significant in terms of Council's Significance and Engagement policy.

Should Council's decision to relocate the East Street water feature to the Ashburton Domain be upheld, the consultative process for the draft Ashburton Domain Development Plan will enable the community to comment and provide feedback to Council.

5.5.7 Financial Implications

There are no costs associated with the revocation of Council's motion to relocate the East Street water feature. Should the motion be upheld, the cost of relocating the water feature to the Ashburton Domain will be the subject of further reports to Council.

Hamish Riach
Chief Executive

ATTACHMENTS *Pgs 25-27*

Appendix 1	Notice of Motion
Appendix 2	Council report (27 June) (include maps / proposed layout of Tancred St park

Notice of Motion



To: Chief Executive

Date: 2 July 2019

Notice of Motion to Revoke a Resolution

At the Council meeting being held on Thursday 15 August 2019, I propose to move a motion to revoke a resolution as follows:

That the following resolution made at the Council meeting on 27 June 2019, be revoked:

East Street Water Feature

That Council relocates the East Street water feature to the Ashburton Domain.

Rawlinson/Reveley

Carried

The reason for revoking the resolution is that there has been no public consultation or input from the community on the proposal to relocate the East Street water feature.

Signed: (to be signed by at least one third of the members of the Council)

A blue ink signature, appearing to be "Gan", written over a horizontal line.

1. [Proposer]

A blue ink signature, appearing to be "B. B.", written over a horizontal line.

2. [Supporter]

A blue ink signature, appearing to be "R. S. Wilson", written over a horizontal line.

3. [Supporter]

A blue ink signature, appearing to be "C.", written over a horizontal line.

4. [Supporter]

A blue ink signature, appearing to be "A. M. M.", written over a horizontal line.

5. [Supporter]

(Copy of 27 June Report)

Date: 27 June 2019
Report to: Council
From: Town Centre Working Group
Subject: East Street Water Feature

East Street Water Feature

1 Summary

The purpose of this report is to consider a proposal to relocate the East Street water feature to the Ashburton Domain. The possible relocation has been identified through the CBD streetscape upgrade as it sits within an area proposed to be regenerated. This project is now moving into the detailed design phase and a decision on the future of the water feature is needed before final design work can be done.

At a meeting of the Town Centre Working Group on 20 June 2019, it was resolved –

That the Town Centre Working Group recommends that Council considers whether the East Street water feature should be retained on its existing site.

Brown/Ellis

Carried

2 Recommendation

<p>That Council makes a decision on whether or not to relocate the East Street water feature to the Ashburton Domain.</p>

3 Background

The Town Centre Working Group has been involved in the preliminary CBD streetscape design work with Aecom consultants. The Working Group is seeking Council's consideration of a proposal to relocate the East Street water feature which is within the CBD streetscape upgrade. Preliminary design work for this area of public amenity space has shown that retaining the water feature on its existing location will compromise the overall streetscape design, including the proposed cycleway which would need to be diverted.

The Senior Landscape Architect has advised that removing the fountain would allow a clear route for a 3 metre shared path while integrating geometry and design to fit in with the new street design. It will also allow the development of new social gathering spaces, planting, and play and water features. If the water feature is retained, it will obstruct the shared path and reduce opportunities to provide gathering spaces. It will also create a pinch point between the toe of the feature and the proposed garden bed. If the garden bed is removed, bollards will be required to prevent pedestrian movement out onto the intersection. Open space will be required around the fountain. It is the Senior Landscape Architect's opinion that given the water feature is a structure, it creates a visual obstruction.

The Working Group took into account Council's recent decision on the future relocation of the information centre building because the building would not be in keeping with a modern and refreshed CBD, and that retention of the building would have also required compromises, including the diversion of the cycleway. While the Working Group agreed that the water feature is aesthetically pleasing and remains relevant to the district, it was suggested that this sculpture may be better suited to the Domain environment.

Consideration was also given to whether dismantling and relocating the water feature would be cost prohibitive and that Council should instead look at enhancing the landscaping and designing around the feature in its current location.

Aecom now need to commence the detailed design phase and timing is the issue. Council will need to make a decision now on whether the detailed design is to be completed in this area or not, which may risk delaying the wider project. Aecom has advised the Working Group that it could be an option to delineate and exclude the water feature area and progress design around that, but this would bring into question how the boundary areas will be addressed, including the otherwise straight cycleway.

Officers report that the water feature could be dismantled in sections and relocated. Two possible options for re-siting the water feature have been identified in the Ashburton Domain – one being in the vicinity of the playground where the water feature would function in the way it does now – ie with pump and filter infrastructure.

The other option would be to locate between the ponds near the Oval. This would provide an aesthetic linkage with the ponds and as water from the ponds would be used, the pumps and filters wouldn't be required.

To assist them with their considerations, the Working Group were provided with the history of the water feature, this information is appended to this report.

In referring this matter to Council on 27 June, the Town Centre Working Group acknowledge that there is insufficient time for detailed design information to be available but officers will provide a site plan of the Domain showing options to site the water feature.

The consultants have provided two sketches showing the existing water feature's position in relation to the overall concept.

Prepared By	Approved By
Jane Donaldson Group Manager Environmental Services	Hamish Riach Chief Executive

[Notes on the history of the water feature on the Town Green]

The water feature is known as Virbela Flowforms and the design is based on the three major rivers that are in our District hence the title to the sculpture being Three Rivers.

Yes it is a sculpture. The flowforms were first designed by world renowned English Sculptor called John Wilkes in the 1970s where the left and right handed vortices are converted into a rhythmically swinging figure of 8 movement. In the development of new forms and applications, a synthesis between artistic beauty and ecological function is sought. Virbelia Flowforms can help to improve the micro-climate by regulating temperature, giving off moisture, dampening sound and playfully reflecting light They have been used around the world in a variety of applications such as urban plazas, internal foyers, children's playgrounds, in parks and gardens with ponds and as part of waste water treatment systems. These Flowforms were designed and casted by Iain Trousdell (Sculptor) of Design for Life. They were installed late 1994 at a cost of \$45,000. This total does not include the workings eg pumps etc., rocks and construction of the feature area. Iain has commissioned other Flowform Sculptures throughout New Zealand e.g NZI House Plaza Sculpture, Wellington; Riddiford Park, BNZ Sculpture Lower Hutt; "Spirit of Life" Manners Mall, Wellington; Lake Te Koutu Cascade, Cambridge; being some examples.

REPORT

Date: 15 August 2019
Report to: Council
From: Open Spaces Planner and Strategy & Policy Manager
Subject: Ashburton Domain Development Plan

5.6 Draft Ashburton Domain Development Plan

5.6.1 Summary

The purpose of this report is for Council to receive the draft Ashburton Domain Development Plan (ADDP) and refer this to the incoming Council for public consultation in February 2020. The draft ADDP attached to this report has been prepared on the basis of Council's decision on 27 June 2019 to remove the Three Rivers Water Sculpture from East Street and relocate this into the Ashburton Domain. Officers understand that the Notice of Motion about this decision will have been addressed before this item on the Council Agenda, any amendment as a result of this discussion will be incorporated into a final draft ADDP before consultation.

5.6.2 Recommendation

That Council receives the draft Ashburton Domain Development Plan and refers this to the incoming Council to adopt and undertake public consultation upon.

5.6.3 Background

Draft ADDP Development

On 22 February 2018 Council resolved:

"That Council approves the expenditure of up to \$30,000 and \$15,000 from the reserve contribution fund for the Ashburton and Tinwald Domain Development Plans, respectively."

Canopy Landscape Architects were commissioned to prepare the draft Ashburton Domain Development Plan.

The development plan is a non-statutory document designed to:

1. Provide strategic direction and coordination of future expenditure in the Ashburton domain over the next 30 years;
2. Maximise the value of the domain to the public;
3. Capture the public thoughts, wishes and ideas about the future direction of the domain.

The development plan differs from a reserve management plan which is a statutory document that only provides guidance on the day-to-day operation of the domain.

The draft ADDP sets out the context, history and an analysis of the existing activities, features and circulation patterns in the domain.

It identifies four long term goals:

- establish a new hub focal point;
- celebrate the waterway;
- create a cohesive play environment;
- strengthen connections between the domain and the township.

In order to achieve these goals, the draft plan identifies and describes 25 possible improvement projects. Indicative costs and timeframes are included for each project (*pages 42-43*).

While the draft ADDP is a high level document, sufficient information is provided to obtain a clear understanding of each project, its indicative cost, and priority.

Once the ADDP is finalised (post-consultation) by Council and the preferred timing of projects is established, further work will be undertaken to confirm design and associated costs for each project with projects incorporated into future activity management plans and Long-Term Plans.

The path to prepare the draft Ashburton Domain Development Plan has involved the following stages:

- Workshop with Open Spaces staff (late 2018)
- Internal managers workshop (late 2018)
- Initial Elected Member workshop (late 2018)
- Discussion with iwi about the draft ADDP (early 2019)
- Ashburton Youth Forum (May 2020)
- Second workshop with Elected Members (June 2019)

The LTP Amendment work meant this project was put on hold while the Ashburton Library and Civic Centre project was finalised due to resourcing implications within Council. Consultation fatigue with the community was an additional factor in delaying consultation on the draft ADDP.

In May 2019, Council invited feedback through the annual Youth Forum as to the district's youth views on what they thought the Ashburton Domain should look like in 2050. The range of views presented was interesting and innovative. Officers will be treating all feedback received from the youth forum as submissions through the consultation process, providing Council an opportunity to evaluate the merit of ideas received and how these could be incorporated into the final ADDP.

Key Projects of the Draft ADDP

Many of the projects build and enhance on existing values and facilities in the Domain. Other recommendations are more substantial. The key features are highlighted below:

Central Hub (Project 1, page 21)

The draft plan recognises that the domain lacks a central focal point for activity and information. It identifies the current location of the bowling green as the 'heart of the domain' and the natural location for this hub. This would be the starting point for people visiting the domain with the area providing a place for information, refreshments, community activities, education and display.

The plan proposes relocating the bowling club to the picnic ground to accommodate the central hub. An initial conversation has been held with representatives from the Ashburton Bowling Club regarding this proposal with further conversations anticipated.

Access (Project 5, page 25)

The draft plan recommends a new entry and access road into the domain from Walnut Avenue. This is front-footing the possibility that the existing access from West Street will be restricted/limited as a consequence of potential changes to the Walnut Ave and West Street intersection.

Parks and Open Spaces Depot (Project 6, page 26)

The draft ADDP proposes moving the bulk of the Parks and Open Space Depot operations out of the domain with the exception of equipment and staff required to support domain operations.

Some of the existing buildings would be removed with the space utilised for a range of purposes including display and demonstration gardens and car parking.

Future space and location requirements of the Parks and Open Spaces operations are difficult to quantify given there are a number of influencing factors such as:

- Changes in the required levels of service for various parks and open spaces could result in increased or reduced operational needs;
- Technical advancements may result in a reduced demand for ground staff. For instance, robotic lawnmowers are being trialed in Christchurch by City Care;
- Changes in how the service is delivered. i.e. by in-house staff or by out-sourcing the work to contractors or a combination of the above;
- Changes in populations and demographics;
- Changes in the way rural reserves, Domains, and Lake Hood are managed and maintained. These areas provide a significant proportion of the Council's parks and open spaces. Significant increases in resourcing would be required if they were to be managed and maintained in-house.

Walnut Ave Promenade (Project 7, page 28)

The aim of this project is to improve the connection between the domain and township. It consists of a broad shared pathway for both pedestrians and cyclists along Walnut Avenue with nodes of activity and interest along its length. The intention is to activate this frontage and provide a more active and enticing edge to the domain.

Three Rivers Water Sculpture (Project 1, page 21 or Project 8, page 31)

The relocation of the Three Water Rivers Water Sculpture, currently located at the corner of Tancred and East Street, into the domain has received significant public interest and media attention. The decision has resulted in a Notice of Motion which is being addressed by Council prior to this report at the 15 August Council Meeting. The draft ADDP has been prepared based on the Council decision on the 27 June to relocate the water sculpture to the Ashburton Domain. While not originally included in the draft Domain Development Plan, officers have identified two potential sites that may be suitable and where it could be incorporated into projects already identified in the Plan (Projects 1 - Central Hub Space and Project 8 - Waterway Enhancements as shown on the map on page 19 of the Plan).

Timing of Consultation

The timing of the consultation was initially planned to be completed within this term of Council. Delays and unforeseen decisions have impacted on this initial plan and it is now not possible to complete consultation within this term of Council.

In forming the recommendation of this report, consideration was given to opening consultation under this term of Council and closing in late October, when the new Council was in place. Elected representatives usually lead any consultation process, and while there is no legal impediment to this during the official 'pre-election' period Council is currently in, it could result in Councillors inadvertently straying into campaigning mode on this highly topical issue. Given that Council resources are being used for the consultation on the draft ADDP, this may put Councillors at risk of breaching the rules¹ around campaigning in the pre-election period.

¹ Auditor General Guidance on the pre-election period <https://www.oag.govt.nz/2005/govt-publicity/appendix4.htm>

Officers believe that the only feasible option is for the consultation to be delayed until the new Council is in place later in 2019. The reality being that the draft ADDP would be unlikely to be out for consultation until February 2020, as consultation in December/January is not recommended.

5.6.4 Options and Risks Considered

There are three options identified for consideration by Council:

Option One: Status Quo

Under this option, Council does not adopt the draft plan for consultation and instead relies on past processes to guide future development and expenditure in the Domain. This would go against a previous decision made by Council in February 2018.

Benefits:

- There are no benefits with this option

Risks:

- This option increases the likelihood of an uncoordinated approach to future development in the Domain.
- There is also a greater chance that expenditure is not used in the most effective and efficient manner and/or that the domain is under-utilised and underappreciated by the public.

Option Two – Adopt the draft Ashburton Domain Development Plan for Public Consultation immediately

Under this option Council adopts the plan as is for immediate public consultation, with the result being that the consultation will straddle current and incoming Council.

Benefits:

- No delays in consulting the community about their views of the draft ADDP.

Risks:

- The consultation will be taking place during the pre-election period leading into the 2019 local body elections, meaning that Council members seeking re-election run the risk of being accused of using Council resources for re-election purposes.
- This term of Council will adopt the draft for engagement with the incoming Council being responsible for adopting the final plan.
- If the new Council opposes the strategic direction of the draft ADDP and wish to make significant strategic changes, the consultation with the community will have been largely ineffective, with further consultation possibly being required.

Option Three – Receive the draft Ashburton Domain Development Plan and refer this to the incoming Council to adopt and undertake the consultation in February 2020.

This is the recommended option as under this option Council receives the draft plan but delays its adoption (for public consultation) until after the local body elections.

Benefits:

- A single elected Council will be approving the draft for consultation, hearing submissions, deliberating on information received and approving the final ADDP.
- Additional time to discuss the draft ADDP with affected user groups through pre-consultation.

Risks:

- The incoming Council may seek to review the plan prior to consultation.
- Delays to consultation with the community could be a source of frustration, however rushing consultation could also result in the same levels of frustration with the community.

5.6.5 Statutory Implications

Domain development plans are non-statutory documents, therefore there are no statutory obligations.

5.6.6 Significance and Engagement

The draft ADDP is considered to be of moderate significance when assessed under Council's Significance and Engagement Policy. A comprehensive consultation process is proposed to engage the community given the high regard and likely high public interest in the Ashburton Domain.

Under the officers preferred option, the following engagement approach is being proposed:

Date	Task
Mid-May	Youth Forum - <i>'What should the Ashburton Domain look like in 2050'</i> – these views will be incorporated into the summary of submissions received.
15 August	Council meeting to review draft ADDP
September-December 2019	Meet 1:1 with key Domain stakeholders – sports clubs, school, hospital etc (Strategy & Policy to arrange)
February 2020	Adoption by Council for consultation*
February 2020 - Consultation opens	
Mid-February	Community Open Days etc – details to be confirmed
Mid-March - Consultation ends (4-6 weeks)	
Mid-late March	Process submissions
Late-March	Hearings
Late-March	Deliberations
Late-April	Adoption of Final ADDP by Council

5.6.7 Financial Implications

The total indicative cost of the implementing the plan over its 30 year lifespan is estimated to be \$10,680,000 (\$356,000/year). Included is approximately \$2.5 million to relocate the Parks and Open Spaces Work Depot to an alternative site that may need to be purchased by Council. Not included in the plan at this stage are any costs associated with the relocation of the Bowling Club.

The work programme and associated expenditure for Yrs 2-10 of the timeline and cost estimate (pg 42) has been designed to align with the budgets (\$1,515,000 in total) already in the current Long Term Plan (pg 161-2). This means the bulk of the projects and associated costs have been pushed out to Yrs 10-20.

It is anticipated that the projects would be funded through a mixture of capital projects, capital renewals, reserve contributions, and possibly from external funding sources such as the NZTA. Requests for additional expenditure would be sought through the Long-Term Plan process after specific detailed design work has been completed for each project.

Prepared By	Prepared By	Approved By
Bert Hofmans	Toni Durham	Neil McCann
Open Spaces Planner	Strategy & Policy Manager	Group Manager – Service Delivery

Electronic copy of the Ashburton Domain Development Plan circulated

REPORT

Date: 15 August 2019
Report to: Council
From: Planning Manager
Subject: Plan Change 2 to Ashburton District Plan – Consideration of Commissioner Recommendations

5.7 Adoption of Plan Change 2 – Ashburton District Plan

5.7.1 Summary

Proposed Plan Change 2 to the Ashburton District Plan (2014) has now reached the stage where the Council can make its decisions on submissions received. The Plan Change is intended to make minor corrections and to fine tune the operation of the document.

This report is the culmination of the Plan Change process following its preparation, public consultation and a hearing by an independent commissioner.

5.7.2 Recommendation

That Council adopts the recommendations of Commissioner David Mountfort in respect of proposed Plan Change 2 to the Ashburton District Plan (2014).

5.7.3 Background

The second generation Ashburton District Plan became operative in August 2014 and while feedback from staff and users has been overwhelmingly positive, certain aspects of the Plan were identified as requiring minor adjustment to ensure that the document functions as intended.

A workshop with elected members on possible topics was held on 6 December 2018. At the Council meeting of 31 January 2019 it was resolved to proceed to the notification stage of the Plan Change. This process occurred between 14 February 2019 and 12 April 2019 with advertisements in the Courier and Guardian newspapers and direct consultation (via letter) with a number of affected parties.

A hearing chaired by Commissioner David Mountfort was held on 18 June 2019 to consider the nine submissions and three further submissions received during the notification process. The recommendations of the Commissioner relating to those submissions are attached to this report.

Appendix 1

5.7.4 Options and Risks Considered

In situations such as this where making a recommendation to District Plan matters has been delegated to an expert Commissioner, it would be a rare and exceptional case for it to reject or fundamentally depart from those recommendations.

This statutory plan change process was commenced following a formal resolution of Council. The adoption of the recommendations of the Commissioner follows the hearing and consideration of matters raised by submitters and is the recommended option.

A decision which departed from the recommendations of the Commissioner would need to be demonstrably reasonable and practicable under the Resource Management Act and associated case law. Such a decision would involve additional cost and would be separate to the hearing process which considered the decisions requested by submitters with associated legal risk to the Council.

5.7.5 Statutory Implications

Section 73(1) of the Resource Management Act 1991 states:

There shall at all times be 1 district plan for each district prepared by the territorial authority in the manner set out in Schedule 1.

Section 73(1A) of the Act states:

A district plan may be changed by a territorial authority in the manner set out in Schedule 1.

Part 1 of Schedule 1 of the Act provides the mechanism for alterations to the Plan. In particular, Section 10 of Part 1 states:

(1) A local authority must give a decision on the provisions and matters raised in submissions, whether or not a hearing is held on the proposed policy statement or plan concerned.

(2) The decision—

(a) must include the reasons for accepting or rejecting the submissions and, for that purpose, may address the submissions by grouping them according to—

(i) the provisions of the proposed statement or plan to which they relate; or

(ii) the matters to which they relate; and

(ab) must include a further evaluation of the proposed policy statement or plan undertaken in accordance with section 32AA; and

(b) may include—

(i) matters relating to any consequential alterations necessary to the proposed statement or plan arising from the submissions; and

(ii) any other matter relevant to the proposed statement or plan arising from the submissions.

(3) To avoid doubt, the local authority is not required to give a decision that addresses each submission individually.

(4) The local authority must—

(aaa) have particular regard to the further evaluation undertaken in accordance with subclause (2)(ab) when making its decision; and

(a) give its decision no later than 2 years after notifying the proposed policy statement or plan under clause 5; and

(b) publicly notify the decision within the same time.

(5) On and from the date the decision is publicly notified, the proposed policy statement or plan is amended in accordance with the decision.

5.7.6 Significance and Engagement

The Council's Significance and Engagement Policy does not apply because the Plan Change process is set out in the Resource Management Act (RMA). Public notice is part of the statutory process under Schedule 1 of the RMA and has been undertaken. This consultation included iwi, the Regional Council and other potentially affected parties. The requests of submitters have been considered in the recommendations of the Commissioner attached to this report.

5.7.7 Financial Implications

The Plan Change has been and will continue to be funded from the existing budget. Costs have been minimised in comparison to previous changes/reviews and variations because the work has been largely carried out by staff as opposed to external consultants.

Prepared By

Ian Hyde

District Planning Manager

Approved By

Jane Donaldson

Group Manager Environmental Services

ATTACHMENT

Pgs 37-56

Appendix 1

Commissioner's recommendations

RESOURCE MANAGEMENT ACT 1991

ASHBURTON DISTRICT PLAN

PROPOSED PLAN CHANGE 2

REPORT AND RECOMMENDATION TO THE ASHBURTON DISTRICT COUNCIL

HEARINGS COMMISSIONER DAVID MOUNTFORT

Summary of Recommendation

- 1) That part A of Proposed Plan Change 2 be revised and adopted
- 2) That Parts, C, E and F of Proposed Change 2 be approved.
- 3) That Part D be revised as set out in Appendix 2
- 4) That Part B of Plan Change 2 be withdrawn and reconsidered more comprehensively.

Note the full recommendation is set out at the end of this report

Introduction

1. The Ashburton District Council has prepared Plan Change 2 to its district plan. The Change is in several parts relating to different topics, as follows
 - Part A – Rangitata River – Protection of Salmon Spawning Areas
 - Part B - Farming Activity/Intensive Farming Building size limit
 - Part C – Up to Date Roding Hierarchy
 - Part D - Plains Museum Historic Village
 - Part E - Pastoral Farming in Residential Zones
 - Part F - Hours of Operation of Licensed Premises in the Business Zone
2. Change 2 was publicly notified on 15 February 2019. Submissions and further submissions were lodged on Parts A, B and D.
3. I have been appointed as an Independent hearings Commissioner to hear the submissions and to make a recommendation to the Council on Plan Change 2.
4. The Council prepared a report and recommendations on the Plan Change and submissions under section 42A of the Resource Management Act 1991 (the RMA), written by Simon Mutohori, a planner at the Council.
5. A hearing was held at the Ashburton District Council Offices on 18 June 2019. The hearing was adjourned to enable the Council and the submitters on Part D to meet and discuss proposed amendments to the text and maps relating to the Plains Museum at Tinwald. The parties have been able to agree on a set of recommendations for these provisions. On receipt of these amended provisions I closed the hearing on 28 July 2019.

Part A – Salmon Spawning Areas.

6. The Rangitata River is a major salmon fishery and contains significant spawning areas in its upper reaches above the Red Rocks (Turn Again Bend) particularly in Deep Creek, a small tributary on the north bank. The spawning season runs from March to July. I was told that salmon spawning is vulnerable to disturbance by jet boating, which is the only form of motorised boating that is feasible in these shallow upper reaches of the river. I understand that non-motorized boating such as rafting or kayaking is not an issue for spawning.
7. Mr Mutohori reported that the intent of the proposed Plan Change 2 is to align the Ashburton District Plan provisions for activities on the surface of Rangitata River with those of the Timaru District Plan for consistency. The river forms the boundary between the two territorial authorities. The two District Plans differ significantly in the way they manage activities in this River. This is not considered ideal because of potential conflict in the treatment of land use applications.
8. Currently in the Ashburton District Plan, activities on the surface of water are dealt with through the Rural zones. Some activities on the surface of the Rangitata River which are not specifically provided for default to be Permitted Activities in the Rural Zone under Rule 3.8.1(k); *Activities on the Surface of Water Bodies*; except where listed as a discretionary or prohibited Activity. This rule permits all other activities along the whole length of the river

except Commercial Activities which are specifically provided for as noncomplying activities in the Rural Zone. This rule catches all commercial activities using motorised or non-motorised craft.

9. While the wording of these provisions is difficult, my understanding is that it means that
 - all forms of recreational boating are permitted along the whole length of the river, while
 - commercial boating activity is a non-complying activity pursuant to rules in the Rural Zone.
10. The Timaru District Plan provides for Permitted Activities (6.20.2.1) on the Rangitata River as follows:
11. *“The use of motorised craft on the Rangitata River at any time other than above Red Rocks also known as Turn Again Bend (NZMS 250, Sheet J36, Grid Reference 515208) between March and July(inclusive), or where used as part of a commercial activity”.*
12. Commercial Activities involving craft on the surface of water are provided for as Discretionary Activities under 6.20.2.2. All other motorised craft activities not provided for as Permitted or Discretionary activities default to Prohibited Activities under the Timaru District Plan.
13. Although the Timaru District Plan wording is difficult and possibly ambiguous, my interpretation of it is that it provides for:
 - all forms of recreational boating activities as Permitted Activities above the Red Rocks (Turn Again Bend) if they occur outside the spawning period (March to July). During this period they form a Prohibited Activity, and
 - Commercial activities on the river of all kinds are provided for as Discretionary Activities regardless of the nature of activity, the timing and mode of operation.
14. The possible ambiguity is that, read in isolation, this could be read as meaning everything after the word “or” i.e. commercial boating activities are permitted activities. This is clearly not intended because of the separate provision as discretionary activities.
15. Mr Mutonhori reported that the Ashburton District Council’s policy on cross border environmental management issues is a coordinated response, working with neighbouring authorities when dealing with common area resource management issues. Ashburton District Council also undertake monitoring of activities with cross boundary effects and is involved in information transfer on cross boundary issues. It is Council policy to ensure co-ordination of activities on matters of joint resource management issues.
16. He also wrote that it is clear from the above interpretations that the two District Plans differ in the way they manage resource management issues on the border and hence the need for this Plan Change.
17. It appears to me that the major differences between the two plans as they currently exist is that:
 - the Timaru District Plan seeks to protect the salmon spawning areas during the spawning season and the Ashburton District Plan currently does not, and
 - The Timaru plan makes commercial activities on the river discretionary at all times, while under the Ashburton District Plan they are non-complying.

18. Mr Mutohori wrote that the fact that Ashburton District Plan allows all other activities, other than Commercial Activities on the surface of water on the Rangitata River is inconsistent with the objectives and policies of the District Plan. He did not cite the provisions he referred to.
19. In my reading of the plan, the issue is referred to in the introductory sections of the Rural zones but does not seem to be explicitly covered in any of the actual objectives and policies. I note that this same point is made by Forest and Bird in its further submission. I discuss this further below.
20. However, the issue is clearly within the scope of Section 7(h) of the RMA - *the protection of the habitat of trout and salmon*, which is a matter I must have particular regard to under the RMA. I note also that the Rangitata River is subject to the Water Conservation (Rangitata River) Order 2006 under which salmon spawning, salmon passage, and salmon fishing are among the outstanding values that the order seeks to protect.¹ The district plan is required to be not inconsistent with this order².
21. The Timaru District Plan has provisions for protecting this resource and Mr Mutohori considered it appropriate to complement that rule in the Ashburton District Plan. I agree. I am satisfied that it is appropriate and in fact necessary under the RMA, because of the provisions I have referred to. It might have also been appropriate to also introduce specific objectives and policies on the issue, but I do not consider that fatal to the change because the proposed rules so clearly give effect to Sections 7 and 76 of the RMA and the Water Conservation Order, which are over-arching national provisions that the Council is obliged to take into account.
22. It remains then to settle the exact terms of the provisions.

Submissions

23. Submissions on Part A were lodged by;
 - a) Central South Island Fish and Game
 - b) Jet Boating New Zealand Inc
 - c) Aoraki Environmental Consultancy Ltd on behalf of Te Rūnanga o Arowhenua
 - d) Neil Salter
 - e) Ronald and Anna Clearwater
24. Further submissions in support or opposition to the original submissions were lodged by;
 - f) Central South Island Fish and Game
 - g) Ronald and Anna Clearwater
 - h) Forest and Bird
25. The submissions from Aoraki Environmental Consultancy and Neil Salter supported the Plan Change as proposed.
26. The other three submitters (Fish and Game, Jet Boating New Zealand and Ronald and Anna Clearwater), requested that the Plan Change be aligned with that of the Timaru District Plan provisions which provides for motorised activities above the Red Rocks as Discretionary Activities outside the spawning season of March to July inclusive. These submitters also supported a total ban of all motorised craft during the spawning season.

¹ Under Schedule 2 of the order.

² Section 76 (a) (a) of the RMA.

27. A further submission was received from Forest and Bird in which they supported the submission of Fish and Game and Jet Boating NZ on prohibiting motorised craft above the Red Rocks during spawning season. However, Forest and Bird opposed the request to provide for Commercial Activities as Discretionary Activities on Rangitata River above the Red Rocks outside the spawning period.
28. Jet Boating New Zealand requested that the subject area for protection include tributaries of Rangitata River above the Red Rocks. Fish and Game and Jet Boating New Zealand also requested that the Plan Change be extended to cover Deep Creek, a major tributary of Rangitata River which is a significant spawning area. The submitters requested that all motorised craft activities in Deep Creek be prohibited at all times.
29. None of these submitters and further submitters opposed the proposed change in its entirety. However they differed on the extent the proposed change should go to, and in particular the extent of limitations that should be placed on commercial boating activity.
30. Some of the submitters recommended adopting the Timaru rules in their entirety, whilst others sought specific amendments to the Timaru model. In particular a proposal to include an all-year prohibition on motorised boating on Deep Creek found general support from those parties who appeared at the hearing.

Summary of evidence at the hearing

Rob Gerard and Steve Woodside – Jet Boating NZ

31. Mr Gerard accepted the iconic nature of the salmon fishery and the need for protection. He supported the adoption of provisions identical to Timaru's. He said that with a prohibited activity, normally he would have expected strong support through objectives and policies, and strong scientific information. However he saw this as a special case. He referred to similar provisions which existed in an Environment Canterbury bylaw until 2016, but have since had to be withdrawn due to changes in the underlying legislation which removed the responsibility from Environment Canterbury and transferred it to local authorities. He referred also to an agreement between Fish and game and Jet Boating NZ to support the continuation of the Environment Canterbury regime. He said that scientific research could itself be damaging to the fishery.

Nicky Snoyink – Forest and Bird

32. Ms Snoyink said that the Rangitata River is extremely valuable for its indigenous conservation values, particularly in regard to native birds. She opposed making commercial boating activities discretionary activities. She pointed out that the Ashburton District Plan has no relevant objective and policy framework that would support this. She said that the effects of commercial boating on native species are not insufficiently understood or managed. She preferred a non-complying status, in part because the threshold test in section 104D of the RMA would place further restraints on this activity.

Angela Christensen and Hamish Stevens– Fish and Game and Federated Farmers

33. This joint evidence discussed the Water Conservation Order, concluding that the proposed controls were well justified by the provisions of the Order. They also discussed the provisions of both the Timaru and Ashburton District Plans, concluding that the Timaru Plan contains a stronger suite of objectives and policies. However, they found support for the proposed controls in Policy 3.2G of the Ashburton Plan, which is;

Mitigate the adverse effects of motorised watercraft and vehicles by controlling, limiting or avoiding their use in areas of high passive recreation use, significant natural values and known significant wildlife habitats.

34. However I note that that policy is one of a suite of policies that give effect to Objective 3.2 Biodiversity, and that objective deals only with indigenous biodiversity and ecosystems. The RMA directs that the purpose of policies is to implement the objectives³, so I am not convinced that Policy 3.2G is relevant to salmon spawning.
35. They pointed out several other valued salmon spawning sites in tributaries of the Rangitata but considered that the general prohibition above Red Rocks in the spawning season would be adequate to protect these sites. They made the interesting point that the main spawning sites tend to be in stable, spring-fed streams and tributaries which are not subject to the rapid changes which can occur in the gravel beds of the main stem and large tributaries in flood events.
36. However they said that 93% of all known salmon spawning in the Rangitata occurs in two stream systems, namely Deep Creek and Deep Stream. I note that I heard nothing more about Deep Stream from any witness and it was not mentioned in any of the submissions. I do not know its exact location. Therefore there is no scope to impose additional controls in respect of Deep Stream over and above any other tributary except Deep Creek.
37. They went on to describe the effects that jet boating can cause on spawning. This includes gravel displacement placing downward pressure on the eggs, and accelerated bank erosion causing sedimentation that smothers the gravel beds. They considered that jet boating should be prohibited in Deep Creek at any time, presumably because of the erosion, sedimentation and smothering effects which could continue outside the spawning season. They cited research which has described these effects and provided photographs of the Deep Creek complex.

The section 42A report

38. In his section 42A report, which was prepared before the hearing, Mr Mutohori said that, after considering the submissions he accepted that the proposed plan change in its notified form did not quite achieve its intentions and recommended some adjustments to the wording. He recommended that commercial boating activities outside the spawning season become a discretionary activity, consistent with the Timaru regime. He maintained this stance after hearing the submissions.

Issues for resolution

39. Having considered the proposed plan change in its original form, the submissions and further submissions, the evidence at the hearing and the Council's s42A report, I believe the following issues need to be resolved.

- The need for the proposed seasonal prohibited activity;
- Inclusion of tributaries of the main river;
- Deep Creek;
- Status of commercial activities;
- Consistency with the Timaru District Plan

The need for the proposed seasonal prohibited activity

40. I accept that on the evidence, jet boating activity is likely to cause adverse effects on salmon spawning, particularly in stable streams on the fringes of the river and its tributaries above Red Rocks. Perhaps regrettably, this is not adequately reflected in the objectives and policies of the district plan, which are more focused on indigenous biodiversity. I can do nothing

³ Section 75(1)(b) of the RMA

about that, as no submission requested this be done. However, I draw it to Council's attention, with a view to it being addressed at some opportune time in the future, perhaps as another plan change or during the next district plan review. Despite this lack, there is a clear mandate for the protection of salmon spawning areas in Section 7 of the RMA and in the Water Conservation (Rangitata River) Order 2006, sufficient to justify the inclusion of the proposed rules.

Inclusion of tributaries of the main river;

This was a request in the submission by Jet Boating NZ, so is clearly within the scope of this process. The Rangitata has a number of major and minor tributaries above Red Rocks and some of these are known to contain salmon spawning areas while others are likely to. In fact, the evidence tends to suggest that salmon spawning is likely to be more successful in small stable tributaries than in the main stem. I consider this change is appropriate.

Deep Creek;

41. I accept that Deep Creek is not just another tributary, because of its significance as a spawning area and because of the additional need to protect the banks from erosion and consequential sedimentation of the bed. This justifies all year prohibition.

Status of commercial activities;

42. The issue is whether commercial boating activities should be non-complying, as originally proposed in Change 2 and supported by Forest and Bird, or discretionary, as requested by the other submitters. I consider that Forest and Bird has made too much of the difference. In the RMA itself there is no assumption that discretionary activities should be easier to get than non-complying activities, although that is a widely held assumption. The main difference between the two can be found in s104D of the RMA, otherwise known as the "gateway" or "threshold" test. In summary this provides that a non-complying activity cannot be granted if either it would be contrary to the objectives and policies of the district plan, or its effects would be more than minor. In this case, as there are no relevant objectives or policies to be considered, only the second test applies. If the effects would be minor or less, and there are no relevant objectives and policies to be applied, a non-complying activity is likely to be granted, whether it is classified as discretionary or non-complying.
43. I therefore consider the status of commercial boating activities should be discretionary.

Consistency with the Timaru District Plan

44. I accept the desirability of being as consistent as possible with the Timaru District Plan, as both Councils share the responsibility for managing activities on the surface of this river, and it would not always be possible to determine which district a jet boat is in at any given time. I think this means consistent in substance rather than adopting identical wording. As already noted, the Timaru Plan is potentially ambiguous in the way it handles commercial boating. A second difference is Deep Creek, which is wholly in the Ashburton District. The wording eventually proposed in the s42A report is clearer, without creating any differences in meaning.

Recommendation to Council

- A. Part A of Proposed Plan Change 2 to the Ashburton District Plan be revised as set out in Appendix 1 to this report and approved.
- B. The submissions and further submissions on Part A be accepted and rejected in part accordingly.

Part B Part B - Farming Activity/Intensive Farming Building size limit

45. In the Rural Zones, the District Plan currently contains various rules about the size and location of buildings. One such rule, contained within the definition of Farming Activity limits the maximum area of buildings to 500m² per site, provided they meet all other rules.
46. Plan Change 2 proposes to modify this rule, applying constraints also to other large buildings associated with other rural activities, such as horticulture and intensive farming. The Section 32 report accompanying the plan change explains that

The rule limiting the floor size of buildings in the Rural Zone is provided for as part of the definition of a Farming Activity. First, this is inconsistent with the layout of the District Plan and makes it difficult for plan users to pick up this provision ordinarily. Second, this rule only applies to buildings associated with a Farming Activity meaning that it does not apply to other buildings for other activities such as Intensive Farming. Thirdly, it is not specified whether the performance standard is a Site Standard or a Zone Standard which causes difficulty in determining the correct status of the activity and consequentially assessment matters over which Council has discretion. It is considered that the rule is not consistent with the objectives and policies of the District Plan which seek to control design and appearance of large buildings in rural areas in order to protect rural amenity values regardless of the purpose of the building. Intensive Farming and Rural Service Activities have far more potential of requiring large buildings than a Farming Activity and therefore this rule should apply to all buildings regardless of their intended use.

47. To this I would add that it is legally dubious to include rules within a definition in any case.
48. Plan Change 2 proposes to set the maximum limit of buildings at 3000m³, migrate the rule to Site Standards of the Rural Zone section and make it applicable to all buildings in the Rural Zone. It also requires a minimum setback of 50 metre for such buildings and requires a planted buffer strip to provide a visually impermeable screen.
49. Buildings not complying with these requirements would default to restricted discretionary activities. Plan Change 2 amends the existing assessment matters which seek to guide Council and plan users in assessing the potential environmental impact of large buildings in rural areas, to make them more applicable to the new rules.
50. It should be noted that 3000m³ is a measurement of the cubic volume of a building, not its floor area. It is calculated by multiplying the length, width and height of a building together. For example a building measuring 30m in length, 20m in width and 5m in height would have a volume of 3000m³.

Submissions

51. This component of the proposed Plan Change received three submissions, from;
- Federated Farmers,
 - Horticulture New Zealand and
 - Neil Salter.
52. Federated Farmers essentially supported the change, subject to a slight change to one of the subheadings.
53. Horticulture NZ was strongly opposed to the plan change. In summary, they state

- They support the relocation of the rule from Definitions section to Site Standards section.
 - Generally they oppose the Proposed Plan Change because it does not have accompanying expert reports on the subject matter being addressed.
 - Requirements for amenity landscaping adjacent to greenhouses will impact on the production potential because the buffer strip plantings will shade the greenhouses.
 - The resource management issue being addressed is not clearly defined.
 - Oppose the changing of metric from floor area to building volume
54. Mr Salter was not opposed to the change in principle but highlighted a number of what he saw as deficiencies or errors.

Appearances at the hearing

55. Horticulture NZ had fully intended to be in attendance at the hearing but their representatives had a last-minute timetable clash with a hearing in the Environment Court. They provided written legal submissions and evidence to be considered.
56. The legal submissions were prepared by Ms Helen Atkins. Ms Atkins stated that
- a) The Ashburton District currently contains around 5.139 hectares of horticultural land, primarily vegetables for fresh and processed markets, with some fruit and berry crops.
 - b) Crops are supplied both locally and for export
 - c) Growers activities include on-site packhouses and processing facilities.
 - d) Expansion of production is planned and the industry seeks flexibility to accommodate this.
 - e) HortNZ is concerned that the Plan Change is unrealistic and unworkable and seeks that it be preferably withdrawn for further consideration or alternatively amended.
 - f) The council's processing and developing the Plan Change was seriously flawed. Horticulture NZ and other relevant organisations were not consulted. Federated Farmers, which was consulted do not represent the rural production sector as a whole, and there are other specific industry sector bodies more knowledgeable about their particular sectors.
 - g) The plan change was not well enough notified to draw it to the attention of all potentially interested parties.
57. Sarah McLung, an Environmental Policy Advisor for HortNZ provided a written statement of evidence. In summary, she wrote;
- a) The Ashburton District is an attractive place for commercial growing. There are currently around 100 growers in the district producing almost 50% of NZ's carrot, parsnip and potatoes.
 - b) Many growers undertake post-harvesting processing and packing for themselves. This promotes freshness and minimises transport of produce.
 - c) New Zealand requires increased vegetable production to meet growing domestic demand due to population growth.
 - d) The District Plan needs to provide for this future growth, including providing for growing, processing and packaging.
 - e) Consultation with HortNZ is important where growers are affected and HortNZ were disappointed to be left out of the consultation. Consultation with Federated Farmers was not sufficient. Federated Farmers represents predominantly sheep, beef and dairy

farmers. Other relevant organisations who should have been consulted include NZ Pork, Beef and Lamb NZ, Dairy NZ, Fonterra and the Poultry Association of NZ.

- f) The Section 32 assessment and section 42A report were inadequate. There were no accompanying technical expert reports such as landscape assessments. The 2009 Landscape Study which was relied on by the Council was produced for the purposes of protecting outstanding natural landscapes under section 6 of the RMA and is not relevant to this issue.
 - g) The need to remove any rules from definitions is understandable, but the reasons for the proposed building volume, site standards and assessment matters are not understood.
 - h) The section 32 report does not adequately state the issue it is addressing or the effects it is proposing to manage. It fails to address the significant costs the proposed rules would have on horticultural operations. Horticultural operations including processing and packaging are generally acceptable in rural environments. The standards proposed are inappropriate, and address unproven and unidentified effects,
 - i) The standards proposed are more akin to those which might apply to industrial zones bordering residential development.
 - j) The proposed provisions will unfairly financially burden growers and will not provide for the efficient use of productive land.
58. The written evidence of Hannah Ritchie, a Senior Environmental Adviser to NZ Pork, was very similar, but from the standpoint of an organisation representing intensive farming rather than growers. As NZPork had missed the public notification of Change 2, this evidence was given in support of HortNZ.
59. In his s42A report Mr Mutohori did not agree that expert technical reports should have been produced. He considered that this is a minor plan change, designed to ensure the rules better implement the existing objectives and policies and therefore only a brief assessment should be expected.
60. He stated that effects on visual amenity of large buildings are the issue being addressed, and therefore it is appropriate to extend the controls to all large buildings in the rural zones, rather than just the farming activity which are presently controlled. He stated that landowners have the opportunity to comply with the new standards and thus qualify as permitted activities.
61. He considered the 50m setback from road boundaries and adjoining neighbours was conservative and consistent with other rural setback provisions for buildings in the Rural zones. However he did not provide any examples of this.

Assessment

62. I disagree with Mr Mutohori that this is just a minor plan change and that only minimum assessment is therefore required. The potential impact on rural producers could be quite considerable. Firstly, the large setbacks may result in inefficient use of productive land because the space within the setbacks would not necessarily be able to be used effectively. And if producers wish to apply for resource consents to breach these standards, in my experience as a Hearings Commissioner, that could typically result in costs running into many tens of thousands of dollars and months of delays, particularly if limited notification to neighbours is required. The applicants would have to pay their own costs as well as the Council's for these consents.

63. Therefore I consider this is a moderately-significant plan change that necessitates a more thorough evaluation by the Council.
64. There has been no detailed assessment about who it is who might be affected by the large buildings that Change 2 seeks to manage, and no evaluation of the costs that this might incur for affected parties. There is no discussion in the documents about what these effects actually are, and there were no examples provided of buildings that have caused such adverse amenity effects.
65. The 2009 Landscape assessment for the Ashburton District, which is relied on to support the change was, I understand, directed towards outstanding natural landscapes, which are required to be protected as a matter of national importance under section 6(b) of the RMA. The study apparently was not relevant to productive agriculture on the Canterbury Plains.
66. The proposed changes consist largely of two new controls for buildings over 3000m². These are the 50m setback and the requirement for landscape buffer strips.
67. With regard to the setbacks, as noted above they could result in the inefficient use of productive land.
68. With regard to the buffer strips, I have noted several potential problems with the drafting of the rule.
69. The rules state
 - 3.9.15 Buildings exceeding 3000m³*
 - a) Shall be screened from public view and neighbouring properties in separate ownership by a buffer strip of at least 2m wide;*
 - b) Buffer strips shall consist of shrub or hedge planting selected and maintained in a manner to ensure a mature height can conceal the building from view on public view;*
 - c) Where existing plantings do not provide this function shrub or hedge planting shall be selected, located, provided at a density, and maintained in a manner to ensure that, when mature, a visually impermeable screen of planting is achieved along the length of the buffer strip.*
 - d) Buffer strips shall include specimen trees at the following minimum rates:
1 specimen tree in strips up to 10m in length and 1 additional tree for every 10m thereafter.*
70. It is unclear what shrub or hedge planting, or specimen trees actually are, or what is the difference between shrubs, hedges or trees. Because there is no maximum limit on the number of Specimen trees, a buffer strip could consist mostly or entirely of these, such as a shelter belt. There are no minimum or maximum height limits for the buffer strips. For example a large, unmaintained row of radiata pine trees along a boundary may comply under these rules, as that could be regarded as a hedge containing specimen trees.
71. It is difficult to understand how specimen trees can be inserted into a buffer strip without breaking the continuity and thus the impermeability of the strip.
72. The strip is to ensure a mature height that is capable of concealing the building, but it is quite unclear where that view is to be taken from. Is it at the boundary, anywhere on adjoining properties or somewhere else? The origin of the view will determine the required height.
73. If required to provide these buffer strips, landowners are likely to site them on the boundary. Large trees along a boundary can create problems of their own, including debris, leaf, branch and needle drop, access for maintenance, shading and wind noise.
74. There has been no evaluation of why it is considered necessary to have the buffer strips as well as 50m setbacks, or why these buildings are considered so unacceptable in a productive rural environment that they must be totally concealed.

75. Subclause b) contains the phrase “view on public view”. This is meaningless and is clearly an error. However I am unable to work out what was intended. I have considered whether “on” was meant to be “or”, but even that would only result in “public view or view” which is still an odd piece of wording.
76. I fully accept that there may be potential for some large buildings to adversely affect neighbours or the general public in some situations. However I have concluded that this change is a very blunt instrument that will probably catch many rural producers in situations where there would be few if any adverse effects. I also consider that the proposed controls may create unintended consequences, especially from the buffer strips. I believe a more sophisticated approach is needed to target the controls to where they are most needed, as well as more careful drafting of the rules.

Recommendation to Council

77. I consider that the Council should withdraw Part B and subject it to more careful analysis. This should include more comprehensive consultation with the industry groups and advice from landscape architects experienced in managing visual amenity issues in rural areas.

Part C – Up to Date Roding Hierarchy

78. Part C of Plan Change2 proposes to replace the current Roding Hierarchy in Appendix 10-1 of the District with a new updated Roding Hierarchy. Under the roding hierarchy roads in the district are classified as Arterial, Principal, Collector or Local, and it also lists the State Highways in the district. Different rules in the District Plan apply to the land adjoining roads in the different categories, reflecting the roads different functions and levels of traffic.
79. The Roding Hierarchy is contained within the Transportation Chapter of the District Plan.
80. Classification of a number of roads in the District has changed since the initial classification at the inception of the first generation District Plan in 2002. The Roding Hierarchy was not updated at the time of notification of the second-generation District Plan in 2014. However, because updating of the Roding Hierarchy is an ongoing exercise of the Roding Team, as new roads are built, existing roads upgraded and changes in land use along certain roads take place, the Hierarchy which is referred to in the transportation rules is outdated and does not match the current land use and functions of the roads.
81. No submissions were lodged on Part C. I received no evidence or reports on it other than the Council’s s42A report.

Recommendation to Council

That Part C of Plan Change 2 be approved.

Part D - Plains Museum Historic Village

82. The Museum is a Scheduled Activity within an Open Space zone. Over the last few years the museum has outgrown its perimeter boundaries overlapping into the Open Space Zone. This means that additional development at the museum would require resource consent and the rules for Open Space Zone are more restrictive making it difficult for the museum complex to grow. The Tinwald Domain Development Plan has a raft of proposed changes to the Plains Historic Village and these should be recognised in the District Plan.

83. Extending the Plains Museum Scheduled Activity boundary to accommodate present and future development areas as proposed in the Tinwald Domain Development Plan, change scheduled activities to better reflect the character of the area and add design guidelines to manage future development.

Submissions

84. Submissions on Part D were lodged by,

- The Tinwald Reserve Board
- The Plains Museum Trust
- Neil Slater

85. The following people attended the hearing;

- Mr Brian Lester and Mr Ian Cullimore– Plains Museum Trust Board
- Mr Askin – Council Open Space Manager
- Bert Hoffman’s – Council Open Spaces Planner
- Mr Salter

86. It became apparent that although all the parties supported the plan change intention to expand the area within the Tinwald Domain allocated to the Museum, there were differences in opinion about some of the details of the rules, and the plans which should be incorporated into the district plan. In particular there was a difference between the Domain Board and the Plains Trust over the issues of permissible building height and colour schemes.

87. It also became apparent that planning for the development of the Tinwald Domain and the Museum has been going on at the same time as the preparation of Plan Change 2, so that the notified plan change may not be completely up to date.

88. Mr Salter was simply concerned with the workability of some of the provisions in the plan change.

89. Rather than attempting to sort out these detailed issues for myself, I invited the parties to confer amongst themselves to see if they could settle on an agreement about how the plan change should be worded. I granted an adjournment to allow this to happen.

90. An agreement was reached and a revised set of provisions was provided to me. I have studied those provisions, and they appear to me to be appropriate.

Recommendation to Council

91. I recommend that

- A. Part D of Proposed Plan Change 2 to the Ashburton District Plan be revised as set out in Appendix 2 to this report and approved.
- B. The submissions and further submissions be accepted and rejected in part accordingly.

Part E - Pastoral Farming in Residential Zones

92. Under the operative District Plan, in the Residential Zones

- *Farming; limited to pastoral farming* is a permitted activity, and
- *Farming; limited to livestock farming and not including intensive farming* a discretionary activity, and
- *Intensive Farming* in the Residential D zone is a non-complying activity, and

- *Intensive Farming* is a prohibited activity in the Residential A, B and C zones.
- Any other form of farming not listed above as permitted, non-complying or prohibited activity would be a discretionary activity under Rule 4.8.4g.

93. There is an overlap between permitted and discretionary activities for some forms of farming. Keeping of livestock is also controlled through bylaws. It was explained to me that the permitted activity status would apply mostly to undeveloped residentially zoned land and that the bylaws would be sufficient to deal with any issues arising in developed residential areas. It is therefore proposed to deal with this matter by deleting the specific listing in the discretionary activities and retaining the other categories.

94. Federated Farmers made a submission in support of Part E. I accept the rationale for it.

Recommendation to Council

- A. That part E of Plan Change 2 be approved.
- B. That the submission by Federated Farmers be allowed

Part F - Hours of Operation of Licensed Premises in the Business Zone

95. The operative district plan controls the operational hours of licensed premises adjoining Residential Zones with no reference to the subsequently adopted Local Alcohol Policy which has similar but more specific regulation for such premises with different types of licences. This is considered to be a duplication of rules which can cause confusion in interpretation. Part F proposes to resolve this by removing the provision from the District Plan as this is well provided for within the Council's Local Alcohol Policy.

96. No submissions were lodged on Part F. I accept the rationale for it.

Recommendation to Council

That Part F of Plan Change 2 be approved.

Section 32AA of the Resource Management Act 1991

97. Section 32AA of the RMA requires that a further evaluation of the plan change be made at the decision stage of any changes that have been made to the plan change following the hearing. I have recommended that Parts A and D be revised. The reasons for those revisions is that, for the reasons already given in those sections of this report, the revisions will ensure that those parts of the Change would give better effect to the requirements of the Resource Management Act, the Rangitata Water Conservation Order 2006 and the objectives and policies of the Ashburton District Plan.

Overall Recommendation to Council

- A. That part A of Proposed Plan Change 2 be amended as set out in Appendix 1 and approved, and that the submissions be accepted, accepted in part accordingly.
- B. That Part B of Plan Change 2 be withdrawn and reconsidered more comprehensively.
- C. That Parts, C, E and F of Proposed Change 2 be approved, and the submission in support of Part E be accepted accordingly.
- D. That Part D be amended as set out in Appendix 2 and approved, and that the submissions be accepted or accepted in part accordingly

- E. That the further evaluation under section 32AA of the Resource Management Act of Parts A and D of Proposed Change 2 contained in paragraph 97 of the report be adopted.

A handwritten signature in blue ink that reads "D. L. Mountfort". The signature is written in a cursive style with a horizontal line through the middle of the letters.

David Mountfort
Hearings Commissioner,

David Mountfort
8 August 2019

3.8.2 Permitted Activities

...

3.8.3 Controlled Activities

...

3.8.4 Restricted Discretionary Activities

...

3.8.5 Discretionary Activities

The following activities shall be Discretionary Activities, provided that they comply with all of the relevant zone standards:

(a) Forestry Activities in the Rural C Zone

...

(e) Activities on the Surface of waterbodies:

- *Involving structures or moorings which pass across or through the surface of any waterway water body or are attached to the bank of any water body, other than floodgates where fences cross streams;*
- ***Commercial Activities on Rangitata River and its tributaries outside the months of March to July (inclusive) above the Red Rocks also known as Turn Again Bend (NZMS 260, Sheet J36, Grid Reference 515208).***

Note: Also refer to Prohibited Activities below.

3.8.6 Non Complying Activities

...

3.8.7 Prohibited Activities

The following activities shall be Prohibited Activities:

(a) Surface of waterbodies:

- *the use of motorised craft on any lake, other than on Lake Camp or Lake Hood;*
- *the use of non-motorised craft powered by any means other than oars or paddles on any lake, other than on Lakes Camp and Clearwater or Lake Hood.*
- ***the use of motorised craft on Rangitata River and its tributaries between the months of March to July (inclusive) above Red Rocks also known as Turn Again Bend (NZMS 260, Sheet J36, Grid Reference 515208).***
- ***the use of motorised craft on Deep Creek (NZMS 260, Sheet J36, Grid Reference 414339) at any time.***

The following activities shall be exempt from this rule:

- *use of any water body for emergency search and rescues;*
- *public scientific research;*
- *control and management of sports fish (as defined in the Conservation Act 1987) and game (as defined in the First Schedule of the Wildlife Act 1953) by the Fish and Game Council or its successors, or those persons authorised in terms of the Conservation Act 1987; and control and management of indigenous fish and any other flora and fauna by*

Section 8: Scheduled Activities

8.6.7 Plains Historic Village

8.6.7.1 Permitted Activities

The following activities are Scheduled Permitted Activities in the Open Space A zone on the site of the Plains Historic Village, Tinwald:

- the non-commercial operation, repair, maintenance, restoration, storage and the display of materials/objects/equipment relating to history of the District;
- retail activities accessory to other permitted activities, sale of food, beverages, crafts, souvenirs, or items produced on the site;
- general storage accessory to the above activities;
- administrative offices accessory to other permitted activities being undertaken on the site;
- the use of buildings for the purpose of spiritual wellbeing and/or education;
- commercial recreational activities accessory to the first bullet point above.

8.6.7.2 Standards

Notwithstanding the site and zone standards of the Open Space A Zone, the following standards shall apply to the Scheduled Permitted Activities at the Plains Historic Village, Tinwald.

8.6.7.3 Setback from Roads

...

8.6.7.4 Setback from Neighbours

...

8.6.7.5 Height of Buildings

- a) Main Street/Church Yard Precinct: maximum height shall be 5m. 20% of the roof area may exceed this height limit if this allows for the original form of the building to be preserved.
- b) Rural Storage/ Rail Industrial Precinct: maximum height shall be 8m. 20% of the roof area may exceed this height limit if this allows for the original form of the building to be preserved.

8.6.7.6 Recession Lines

...

8.6.7.7 Lighting

...

8.6.7.8 Design, Location and Appearance

8.6.7.8.1 Main Street / Church Yard Precinct - Commercial / Retail Frontage

All buildings within this area will be in same context as the currently existing false front retail and shed buildings that make up the existing main street opposite the train station.

- a) Area: all new development is restricted to the Precincts as shown in the Outline Development Plan, Appendix 8-5;
- b) Scale: will be consistent with the style of the afore mentioned buildings. Large spaces can be created by multi-ceiling the building;
- c) Colour: to reflect the original colour of the building and where that is not possible refer to the relevant Aalto Colour Palette (Victorian and Edwardian);
- d) Reflectivity: maximum reflectivity to be less than 50%;
- e) Materials: timber weatherboard, vertical running corrugated iron and board and batten;
- f) Roofing materials: traditional wave profile corrugated iron and/or traditional red tiles;
- g) Roof Pitch: equal gable: 25°- 45°; lean-to mono pitch 8°- 15°;
- h) Openings: painted timber frames, double-hung windows;
- i) Glazing: maximum area 40% of the total wall area of a building.

8.6.7.8.2 Rural Storage / Rail industrial Precinct

The style of buildings appropriate here will be sheds or large buildings with or without the false fronts that may connect to the main street.

- a) Area: all new development is restricted to Precincts as shown on the Outline Development Plan, Appendix 8-5;
- b) Scale: will be consistent with the style of the afore mentioned buildings and the Tinwald Domain Master Plan;
- c) Colour: to reflect the original colour of the building and where that is not possible refer to the relevant Aalto Colour Palette (Victorian and Edwardian);
- d) Reflectivity: maximum reflectivity to be less than 50 %;
- e) Facade Materials: mainly traditional wave profile corrugated iron (vertical running) with or without timber weatherboard feature facades;
- f) Roofing materials: traditional wave profile corrugated iron;
- g) Roof Pitch: equal gable 25°- 45° or mono pitch 8°– 30°; lean-to mono pitch 8°- 15°;
- h) Openings: painted timber frames;
- i) Glazing: maximum area 40% of the total wall area of a building.

Fig 1. Plains Museum Outline Development Plan (To be Appendix 8.5 in the District Plan)

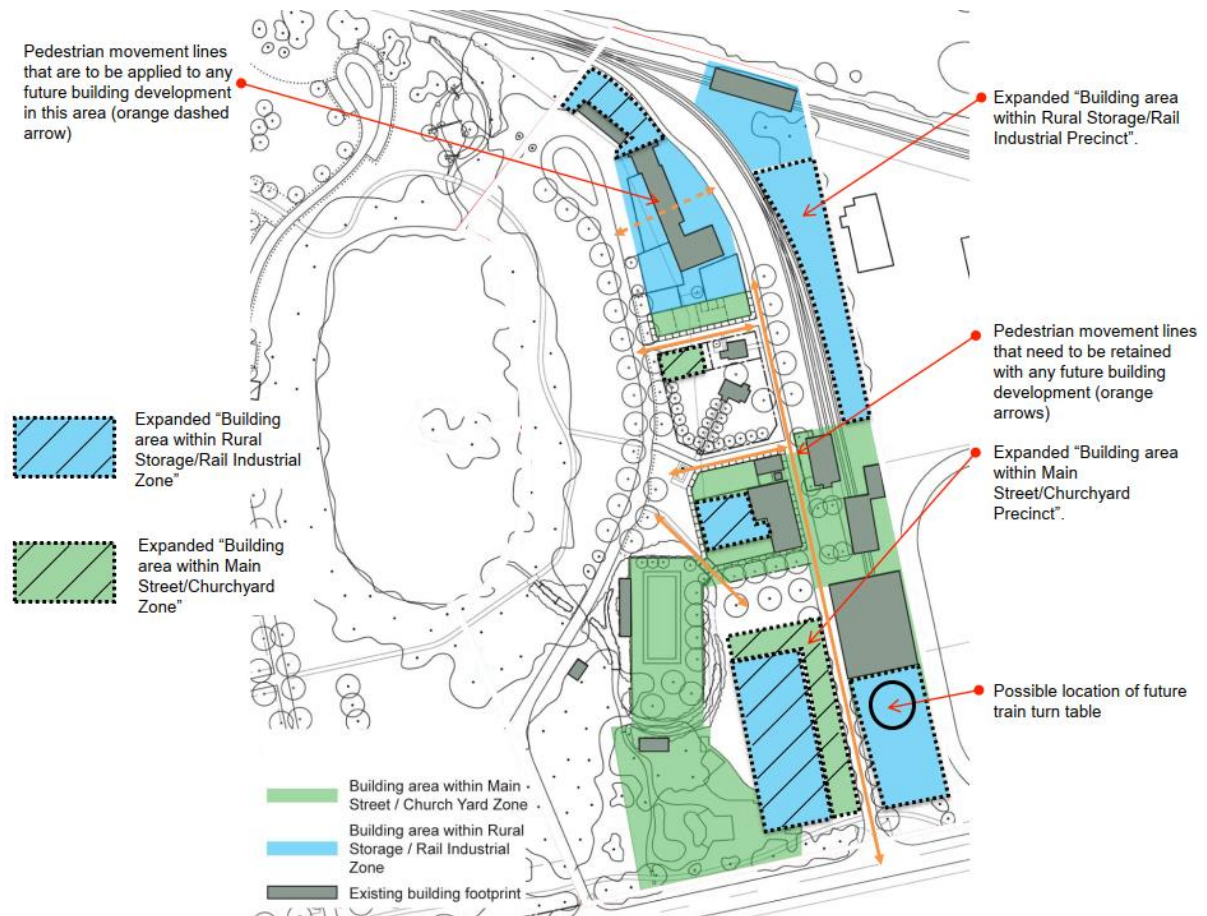
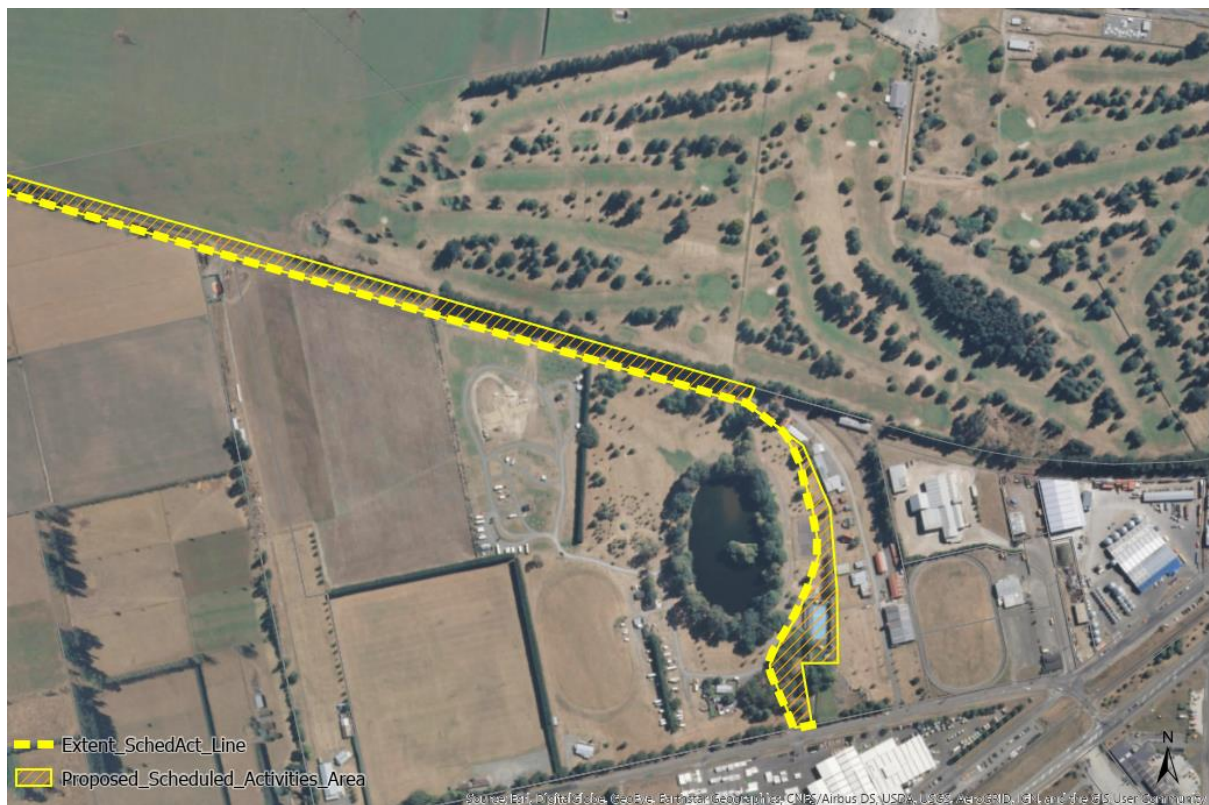


Fig 2. Proposed Plains Museum boundary extension (Scheduled Activity Number S32)



MINUTES

5.8 Bylaw and Policy Subcommittee

Minutes of the Bylaw and Policy Subcommittee meeting, held on Thursday 1 August 2019, in the Council Chamber, 137 Havelock Street, Ashburton, commencing at 10.30am.

Present

Mayor Donna Favel (Chair); Councillors Leen Braam, Neil Brown, Russell Ellis, Peter Reveley and Stuart Wilson.

Also present

Cr Thelma Bell.

In attendance

Chief Executive, Manager People & Capability, Strategy & Policy Manager, Senior Policy Adviser, Policy Adviser, and Governance Team Leader.

1 Apologies

Crs Selwyn Price and Diane Rawlinson

Sustained

2 Conflict of Interest

Nil.

3 Extraordinary Business

Nil.

4.1 Confirmation of Minutes

That the minutes of the Bylaw & Policy Subcommittee meeting held on 16 May 2019, be taken as read and confirmed.

Mayor/Braam

Carried

The minutes were amended to record the submitters who did not attend – R Whillans was rescheduled to 16 May and B Findlay, who had initially been omitted, was unable to attend on 16 May.

That the minutes of the Bylaw & Policy Subcommittee meeting held on 9 May 2019, as amended, be taken as read and confirmed.

Braam/Reveley

Carried

5.1 Bylaw and Policy Review Update

That the report be received.

Wilson/Brown

Carried

5.2 Property Leasing and Licensing Policy – Project Update

- Reserve management plans

Officers advised that work on the policy to date has highlighted the issue of uncompleted reserve management plans. Under the Reserves Act, councils were given around 25 years to prepare and enact the plans, however the preferred approach being seen amongst councils who started earlier on this is that developing classes of reserve, rather than individual reserves (a single plan with multiple chapters to cover all reserves) is preferable.

That the Subcommittee receives this report.

Ellis/Braam

Carried

5.3 Elected Members' Allowances and Reimbursement Policy

The Policy Advisor presented the draft policy which has been revised to better clarify the definition of 'Council business' and the approval process for claiming. The policy provides for the childcare allowance (\$15/hour, up to \$6,000/year) and an increased communications allowance for the Methven Community Board Chair. The policy reflects the Remuneration Authority Determination allowance limits.

Officers confirmed that elected members travelling on Council business would be encouraged to use Council pool vehicles – that's the preferred approach; however the option to claim mileage for use of private vehicles is retained in the policy.

The Mayor sought clarification on the definition of 'training' and asked if the policy should include reference to elected members each having the opportunity to attend local government sector meetings and conferences. The Policy Adviser referred to the guidelines which provide for each member to attend one training course each year. The Subcommittee suggested that this be made discretionary.

The Chief Executive commented that the purpose of some conferences / seminars (such as Rural and Provincial and Zone meetings) is about keeping up to date, whereas training is for a specific need for specific individual. Rotating councillors' attendance at sector meetings to keep them up to date, and also have training to upskill would be an ad hoc decision made at the time.

The Subcommittee also discussed the option of a mayoral vehicle, noting that the provision for this is set out in the Remuneration Authority Determination.

Officers will make minor changes to the draft policy and its appendices, as agreed by the Subcommittee, and present the revised document to Council.

Recommendation to Council

[Deferred until 26 September]

- 1 **That** Council adopts:
 - (a) the Elected Members' Allowances and Reimbursement Policy; and
 - (b) the Elected Members' Attendance at Conferences, Training Courses and Seminars Guidelines.
- 2 **That** Council reviews the policy in one year, with the release of the Remuneration Authority's 2020/21 determination.

Mayor/Ellis

Carried

5.4 Partnerships with the Private Sector Policy

Appendix 1

Recommendation to Council

That the amended Partnerships with the Private Sector Policy is adopted.

Mayor/Braam

Carried

5.5 Review of Smoke-free Outdoor Areas Policy

Appendix 2

The Senior Policy Advisor acknowledged the input from Community Public Health and the Cancer Society, both of which would like to see the smoke-free areas extended to more public space, particularly in the CBD. He further commented on the recommendation not to ban vaping; this is to reflect medical evidence which shows there is more benefit than harm from vaping as it's a means to help people quit smoking.

Recommendations to Council

That Council adopts Option 1A (Status quo – no expansion of smoke-free areas in the Domain) as its preferred Option for the Ashburton Domain.

Brown/Wilson

Carried

Cr McMillan attended at 11.44am.

That Council adopts Option 2B – (make smoke-free areas also vaping-free) as its preferred Option.

Brown/Wilson

Carried

That Council adopts Option 3A (Status Quo – Reserves Boards to make recommendations on smoke-free areas in reserves under their management) as its preferred Option for other domains and reserves.

Brown/Braam

Carried

That Council adopts Option 4A (Status Quo – Smoke-free Outdoor Dining Areas Only) as its preferred option for the Ashburton CBD.

Brown/Wilson

Carried

That Council adopts an amended Smoke-free Outdoor Areas Policy 2019, as per Appendix A attached, to give effect to recommendations 1 to 4.

Brown/Braam

Carried

Officers confirmed that the smoke-free / vaping-free outdoor areas policy will link with the alfresco dining policy which requires premises with licences to occupy footpath areas to be smoke-free.

The suggestion to extend the smoke-free policy to neighbourhood parks, Baring Square and cemeteries was not supported at this time.

The meeting concluded at 11.58am.

ATTACHMENTS

Pgs 60-67

Appendix 1 Partnerships with Private Sector policy
Appendix 2 Smoke-free Outdoor Areas Policy

Draft Policy

PARTNERSHIPS WITH THE PRIVATE SECTOR

TEAM:	Strategy & Policy
RESPONSIBILITY:	Group Manager – Business Support
ADOPTED:	TBC
REVIEW:	Every 5 years
CONSULTATION:	Not required
RELATED DOCUMENTS:	Local Government Act 2002, Ashburton District Council Long-Term Plan, Significance & Engagement Policy, Procurement Policy, Risk Management Policy.

Policy Objective

The purpose of this policy is to provide criteria for Ashburton District Council to consider when assessing if a public private partnership (PPP) is the most appropriate procurement model. This policy requires Council to act prudently when considering partnerships of a business nature with the private sector to ensure Council's interests are protected. Specifically, this policy aims to:

- Enable Council to enter into partnerships with the private sector where there is a clear benefit to Council and the community
- Promote transparency in Council's expectations of public private partnerships
- Provide a framework for common understanding of Council's practices for potential partners.

Definitions

Council means Ashburton District Council.

Public private partnership (PPP) is a service contract between the public and private sector where the private sector is paid to deliver an infrastructure asset or facility and provide services associated with the asset in the long term. This policy does not apply to partnerships Council has with community groups or organisations.

Public value means the best available result for Ashburton District for the money spent. It includes using resources effectively, economically and responsibly, and taking into account the PPP's contribution to the desired result, for current and future generations, including:

- Council's strategic priorities and community outcomes
- The four well-beings of social, economic, environmental and cultural significance
- The total costs and benefits of the PPP (i.e. total cost of ownership).

Significant partnerships are partnerships involving one or more private partners related to large scale projects. The significance of a partnership and the scale of a project will be assessed on a case-by-case basis by the Council (see section 2 of this policy).

Policy Statement

1. Background

Council's are no longer required under the Local Government Act 2002 to adopt a policy on public private partnerships. However, such a policy can provide guidance to ensure any arrangements with the private sector are transparent and consider the wellbeing of Ashburton District residents.

PPPs are a non-traditional procurement model which involve private sector involvement in the provision of both infrastructure and services. For large, complex or innovative projects, better value and project outcomes may be achieved by utilising a non-traditional procurement model. The main argument for private sector involvement in service delivery and operation is that significant efficiencies can be driven by the profit motive, integration of the whole of life responsibility, and exposure to competition. A further benefit of a PPP is the ability to mitigate risk through a shared arrangement.

From time to time, the Council has opportunities to work in partnership with the private sector to deliver desired outcomes. These opportunities can be quite diverse in nature and for this reason this policy takes a high level approach. It is acknowledged that additional criteria beyond what is included in section 3 of this policy is likely to be required when assessing if the PPP model is the appropriate procurement method. This criteria will be determined on the unique requirements of each individual partnership, but will be guided by the high-level criteria in this policy.

This policy should be read alongside the Ashburton District Council's Procurement Policy.

2. Scope

This policy applies to significant partnerships only as determined by Council's Significance and Engagement Policy, and therefore excludes the majority of ongoing relationships or partnerships Council has with community organisations and other public sector entities. The focus of this policy is on large scale projects for which PPP procurement is being considered.

This policy does not apply to:

- Grants to community organisations
- Investment of funds solely for the purpose of financial return such as bank deposits, bonds and shares. These are subject to the Council's Investment Policy
- Normal contractual arrangements for the supply of goods and services
- Commercial arrangements made by Council-controlled trading companies and their subsidiaries.

3. PPP criteria

The form of contribution to a PPP will be determined on the basis of the nature of the partnership project, the availability of resources and the assessed risks.

The Council may consider entering into a PPP where the PPP meets any of these high-level criteria:

1. **Provides a prudent use of resources** – where Council determines an efficient and effective use of resources, and the partnership provides a higher quality and more cost effective solution than alternative procurement.
2. **Produces a community benefit** - where Council believe a particular project would produce a significant community benefit (i.e. the benefits to the community are greater than the cost to the public).
3. **Contributes to achieving public value and promoting sustainability¹** – where Council determines a PPP arrangement would benefit the overall wellbeing of Ashburton District residents, and contribute to the achievement of Council's community outcomes and strategic priorities.
4. **Enables opportunity** - where neither Council nor a private provider would otherwise provide the service or activity without the partnership.
5. **Enables risk-sharing** - where Council may be unwilling or unable to bear all of the risk (usually, though not always defined in terms of financial risks) of a particular project itself
6. **Promotes economic development** – where Council determines a partnership would contribute to meeting any of the 'seven pillars' identified by the Council's Economic Development Strategy. These are (1) signaling Council is open for business, (2) 'placemaking' and branding', (3) unlocking latent potential, (4) agriculture and technology, (5) natural resource management, (6) start-ups, small and medium sized enterprises, and business support, and (7) connecting and supporting infrastructure.

The Council is not obliged to enter into a partnership with the private sector even if one or more of these criteria are met. These criteria are a high-level guide only.

4. Conditions

Before deciding on any commitment to a PPP the Council shall ensure that appropriate advice has been obtained from external providers. This advice will assist Council to ensure:

- (a) The partnership and its proposed business are lawful
- (b) The benefits to the community will exceed the costs and risks
- (c) There is an agreement that defines the objectives of the partnership and obligations of all parties including roles, responsibilities and liabilities
- (d) The proposed partner has demonstrated the ability to meet the terms of the agreement
- (e) The Council's financial and resource obligations under the partnership are defined
- (f) There are clear financial forecasts of the partnership arrangements
- (g) Other conditions that the Council wishes to impose are clearly defined
- (h) A clear exit/termination strategy is agreed.

Council shall ensure the potential for a PPP is assessed against Council's Significance and Engagement Policy. Appropriate engagement methods will be selected. Given the large scale nature of a PPP, consultation will be required (but may form part of consultation on the Annual or Long-Term Plan).

¹ See Council's Procurement Policy for details on Council's commitment to sustainable procurement.

As required by s.17A(5) of the Local Government Act 2002, Council shall ensure that there is a contract or other binding agreement that clearly specifies:

- (a) The required service levels
- (b) The performance measures and targets to be used to assess compliance with the required service levels
- (c) How performance is to be assessed and reported
- (d) How the costs of delivery are to be met
- (e) How any risks are to be managed
- (f) What penalties for non-performance may be applied; and
- (g) How accountability is to be enforced.

Council **will not** enter into a PPP where:

- The activity is primarily speculative in nature
- The cost or risk of the PPP is equal to or greater than the benefits that would accrue to the community.

5. Assessment and management of risks

Every project that is considered for PPP procurement will need to be evaluated to determine the project's risk profile in line with the Council's Corporate Risk Policy. Where the risks are considered to be significant the assessment will weigh up the risks against the benefits and the risk management strategies which are proposed.

Risks to be assessed may fall into one or more of the following categories:

- (a) Design and construction
- (b) Commissioning and operating
- (c) Service and under performance
- (d) Financial to the Council
- (e) The capacity of the Council to carry on its activities (whether associated with this partnership or not)
- (f) Damage to the reputation of the Council and the district from failure
- (g) Any other risk identified by the Council or its agents.

An appropriate risk management strategy will be put in place that may include insurance as required and financial and non-financial audit requirements.

Staff charged with monitoring the Council's involvement in a PPP must specifically report on how risks are assessed and managed throughout the life of the partnership.

6. Monitoring and reporting on the PPP

Monitoring must be performed on an agreed basis, with formal reports being brought to the Council at regular intervals, depending on: the significance of the Council's involvement in the PPP, the maturity of the partnership, and the minimum level of monitoring that has been determined by the Council as part of the process of approval.

The need for transparency in the conduct of the partnership activity should be recognised when preparing monitoring reports whilst acknowledging the need to protect commercial

confidentiality.

Formal monitoring reports to the designated committee of the Council will generally be required. The report will include financial updates and progress on agreed outcomes and objectives.

Policy (Draft 2)

SMOKEFREE OUTDOOR AREAS

TEAM:	Strategy and Policy
RESPONSIBILITY:	Strategy and Policy Manager
ADOPTED:	15 August 2019
REVIEW:	Every three years, or as required
CONSULTATION:	Consultation undertaken in accordance with section 82, Local Government Act 2002, if required.
RELATED DOCUMENTS:	Elderly Persons Housing Policy 2017 Use of Footpath for Alfresco Dining Policy 2017 Health Act 1956 Local Government Act 2002 Smoke-free Environments Act 1990 Smoke-free Aotearoa 2025 Goal

Policy Objective

Ashburton District Council believes the children and young people of our district have a right to be able to enjoy playground and sport field facilities provided by Council in a smoke-free environment.

Policy Statement

This policy is not a ban on smoking in a public place. No enforcement measures will be used against those who breach the policy. The purpose of the policy is to fulfil Council's commitment to promote positive health choices and outcomes.

The community will be advised through appropriate signage and ongoing communication, as deemed necessary by Council.

[Council declares other areas under its control to be smoke-free via the Elderly Persons Housing Policy 2017 and the Use of Footpath for Alfresco Dining Policy 2017.](#)

[For the avoidance of doubt, and for the purposes of this Policy and other Policies regulating smoke-free areas, smoking includes the use of e-cigarettes and smoke-free means free from the smoking of tobacco and e-cigarettes.](#)

1. Playgrounds

All Council owned playgrounds are smoke-free.

2. Sports Fields and Courts

The following Council owned sports fields and courts are smoke-free:

- Ashburton Domain
- Ashburton Skate Park
- Argyle Park
- Digby Park
- Electricity Ashburton (EA) Networks Centre – outdoor sports courts
- Robilliard Park.

3. Reserves and Domains managed by Reserves Boards

The following areas of Reserves and Domains managed by Reserves Boards are smoke-free:

- All playgrounds covered by clause 1 of this Policy
- Sports fields or courts covered by clause 2 of this Policy
- Specified areas of Reserves and Domains listed in Schedule 1.

4. Events

Council recognises the role that public events can play in promoting a positive smokefree message. Council supported events will be consistently promoted as Smokefree through inclusion of Smokefree messages on material promoting the events, and advertising at the events.

5. Council buildings

Smoking is not permitted 10 metres from the entrances and exits to buildings located at the following areas:

- Ashburton Art Gallery and Heritage Centre
- Ashburton District Council Administration building
- Ashburton District Council Chambers
- Ashburton District Council Library.

6. EA Networks Centre

Smoking is not permitted in the following locations at the EA Networks Centre:

- 10 metres from the entrances and exits to buildings
- The entire car park
- Outdoor sports courts.

7. Signage

Where possible signage will be installed to indicate areas that are smokefree. Signage requirements will be assessed on an individual basis.

Schedule 1 – Smoke-free areas of Reserves and Domains managed by Reserves Boards

REPORT

Date: 15 August 2019
Report to: Council
From: Senior Policy Advisor
Subject: Scope of Development and Financial Contributions Review 2019/20

5.9 Development and Financial Contributions Policy – Scope of 2019/20 Review

5.9.1 Summary

The purpose of this report is to decide the scope of work for the 2019/20 Review of Development Contributions and Financial Contributions. Choosing a preferred scope does not commit the Council to introduce new development contributions (DCs) or to continue or increase existing DCs within the preferred scope. However, development contributions policy needs robust analysis to underpin any decisions, so Council will rule out new DCs on any activity that it decides is out of scope.

Development contributions are a funding source for capital expenditure (CAPEX) to fund growth in demand. The alternative to DCs is usually higher rates. Development contributions policies are complex and time-consuming to develop and administer and present the risk of a legal challenge. The complexity and risk involved in this work reinforce the need for robust analysis.

The report notes that financial contributions (under the Resource Management Act 1991) are being phased out from 2022 as a funding source forecast to provide around \$7M in revenue, which is another reason to look more closely at DCs.

The report recommends that the Council look at the full range of areas, namely:

- Drinking water
- Wastewater
- Community Infrastructure (current)
- Transportation
- Stormwater
- Increased community infrastructure (Library & Civic Centre)
- Open Spaces

The process will include key decision points where the Council may choose to keep working on revised or new DCs for a particular activity or to stop working on any specific activity. The amount of work potentially involved in this project and its integration into the 2021-31 Long Term Plan (LTP) means that an early start is essential and that Officers will reaffirm the scope with the Council post-election. Officers consider this a better use of time than deferring the work to February/March 2020.

5.9.2 Recommendation

- 1 **That** Council receives this report.
- 2 **That** Council adopts Option C – Do All – as its preferred scope of work for the Development and Financial Contributions Policy Review 2019/20.

5.9.3 Background

Council has a Development and Financial Contributions (DFC) Policy which enables the Council to recover from developers a fair, equitable, and proportionate share of the total cost of capital expenditure necessary to service growth over the long term.

Current Scope of Policy

Council's policy includes DCs for:

- Drinking water – contributions apply to CAPEX for growth on the Ashburton, Fairton, Hinds, Methven and Rakaia water supplies.
- Wastewater – contributions apply to CAPEX for growth on the Ashburton and Methven wastewater treatment and disposal systems.
- Community infrastructure – contributions apply to CAPEX for growth at the Ashburton Art Gallery and Heritage Centre and the EA Networks Centre. Contributions are district-wide and are capped at \$2,875 (Inc. GST) per household unit equivalent² (HUE), and limited to 1 HUE per non-residential development.

Drivers for Review

Apart from the legal requirement, the other drivers for a review of the Policy are:

- Any changes in forecast growth
- Any changes in capital expenditure necessary to service growth
- Legislation changes

Things to remember about this Review

Financial Contributions and Development Contributions are two different things

Financial contributions are requirements imposed on resource consents (usually subdivision resource consents) to recognise the effects of development. In the case of a subdivision, a financial contribution may require a contribution towards road widening, new footpaths, or a “reserves contribution” set at a % (usually between 5% and 7.5%) of the value of new lots created. The power to require a financial contribution is contained in the Resource Management Act 1991 and the District Plan. There is often no strong “causal nexus” between a development, the financial contribution required, and the extent of demand generated by the development. Financial contributions are generally used for CAPEX for new assets, and cannot be used for operational costs. Under current legislation, this power will be removed from the Act effective from 18 April 2022, and the much stronger “causal nexus” required for DCs is one reason for that change. Government has signaled its intention to restore this power to the statute book with a Cabinet decision in November 2018 but as yet no Bill has been introduced to the House.

Development contributions fund CAPEX for growth and require a much clearer “line of sight” between the development, the demand created, and the level of the contribution.

DCs are how growth pays for growth

Development contributions are intended to ensure that developers pay their fair share of the cost for the increased demand generated by the development. It is not to fund operating costs, nor CAPEX for renewals, nor CAPEX to improve levels of service.

² HUE stands for household unit equivalent. It represents the infrastructure demands of an average household, and is used to convert non-residential demand into residential terms for aggregation purposes.

It is to fund increased demand for infrastructure caused by development within the district. There is a direct link between well-designed DCs and the benefit principle³ favoured by the Productivity Commission⁴.

You can also charge for CAPEX for growth completed in the past provided that:

- The CAPEX is growth-related; and
- The project is not yet fully repaid

You cannot charge a DC related to increased demand from people outside the district, e.g. to cope with visitor demand, or increased demand from existing ratepayers.

Economic Efficiency

The Productivity Commission supports development contributions, so long as they are a fair share of the cost relative to the demand generated by the development. To the extent that contributions overstate or understate demand, they are economically inefficient. For example, if the Council sets DCs in a way that attributes too much CAPEX to growth, it is, in effect, seeking a subsidy from developers to other users of the infrastructure. In the worst-case scenario, this may discourage development and invite a legal challenge to the Council's policy.

In the other scenario, the Council sets DCs in a way that attributes too little CAPEX to growth. The Council is, in effect, either seeking a subsidy from other users of infrastructure to the developer or building too little capacity into its infrastructure. In this scenario, rates increase, and developers are given an incentive to develop sections, houses or commercial development that exceeds market demand and may ultimately fail.

The Rates: DC trade-off

Ratepayers usually only see the rates they pay – not the reduction in rates generated by development contributions. There is usually a direct trade-off between DCs and rates. The 2018-28 LTP budgets \$1.37M in revenue from development and financial contributions in 2019/20, which equates to about 3.7% of the rates for 2019/20.

The administration is complex and time-consuming

Development contributions can be complex and time-consuming to develop and administer. It is likely to be administratively inefficient for the Council to recover small sums with this funding tool.

Impact on Development Activity

The more development contributions Council chooses to have, the higher the overall cost for each development, and the greater the likelihood of push-back from developers about the cost of development. Developers and their representatives, (such as the NZ Property Council), will argue for lower or no development contributions, and they will argue about economic efficiency (see point 2). Council needs to reconcile those arguments with:

- Income from financial contributions will reduce after 2022;
- The strong correlation between the general state of the economy and the level of development activity; and
- Weak correlation between new or rising development contributions and decline in development activity.

³ Benefit principle – services should be funded by those who benefit from them. This implies user charges (where such charges are feasible and efficient) or perhaps a targeted rate on a specific group of residents who benefit from a service. A development contribution is a form of user charge.

⁴ New Zealand Productivity Commission. (2019). Local government funding and financing: Draft report. Available [here](#).

Process for Review

Officers plan to review the DFC Policy in tandem with the work on the Revenue and Financing Policy. Each review will help inform the other. For example, DC revenue is a funding source that the Council must consider in its Revenue & Financing Policy, so the use of DCs must pass the s. 101(3) “tests” (Local Government Act 2002). For another example, if it is not administratively efficient to recover a development contribution on, say, stormwater, that would affect the funding options available for stormwater CAPEX and flow through to the Revenue and Financing Policy.

5.9.4 Options and Risks Considered

Issues

A. Review Existing Development Contributions

Existing DCs for drinking water, wastewater, and community infrastructure must still meet the legal and policy thresholds for DCs. This work involves a series of steps, applied to each capital project, as follows:

1. Does the project cater for growth?
2. Determine the net capital cost of the project
3. Determine the growth-share of the cost
4. Determine the capacity period

This report describes these steps more fully in Appendix 1. These same steps apply to any new activity that Council wishes to fund CAPEX for growth through a DC. Finally, this work should follow the advice of the Productivity Commission and examine the policy templates developed in Auckland, Hamilton, and Tauranga that reflect leading practice in the sector.

B. Transportation

Council has no development contributions for CAPEX for growth associated with roads and footpaths. In the 2018-28 LTP, Council plans to spend \$146.2M in capital expenditure on Transportation, including \$97.9M to renew existing assets, \$48.2M to improve the level of service, and a net decrease in reserves of \$0.6M. There is no CAPEX for growth identified in those ten years, despite references in the LTP to:

- Ashburton roads that “*have seen heavy increases in daily traffic*”;
- A 25% increase in vehicle kilometres travelled since 2010 causing “*more wear and tear on our rural road network*”; and
- Some rural roads are showing “*signs of premature failure*”.

Land-use change over the previous 15-20 years has driven much of the increased demand on the network, including the increased volumes of heavy vehicles. Council considered (and decided against) bringing in a transportation DC in 2009. The introduction of such a contribution from 2021 cannot wind the clock back to retrieve the costs of growth from previous development. It can only address future increase in demand from future development.

The LTP shows revenue from financial contributions to transportation of \$90,000 over the same ten year period, which is unlikely to be achieved with these phasing out from the 2021/22 financial year.

Council’s last residents’ survey showed declining community satisfaction with roads, which is consistent with the impacts of growth on the network. The LTP also records that the size of the roading network relative to its ratepayer base, the One Network Road Classification system, changes to the Financial Assistance Rate and the premature deterioration of roads leading to greater investment and a larger Council share, places a disproportionate cost burden on ratepayers.

As future growth leads to more investment in the network and the financial contributions decline as a source of funding, it is time for the Council to assess whether it adds development contributions into the funding toolkit for transportation.

C. Stormwater

Council has no development contributions for CAPEX for growth associated with stormwater. In the current LTP, Council plans to spend over \$14M in capital expenditure to improve the level of service and achieve compliance with a new whole of network stormwater resource consent. Now that Council has received the consent, it is in a better position to assess the overall level of the CAPEX required to meet the conditions of consent than it was in 2018.

For the most part, the investment is to service an existing demand, the potential for more severe rainfall events, and the need to meet higher standards of environmental protection. Council cannot, at first glance, regard future growth as the causal nexus for most of that expenditure. There will, however, be some component for growth, as any property development on vacant land serviced by a stormwater network increases the level of runoff into the network. There is potential to review whether that growth component is large enough to warrant introducing development contributions for stormwater as a practical and efficient funding tool.

D. Open Spaces

Open Spaces is in a similar position to Roding, as it also receives funding by way of financial contributions under the District Plan and the RMA. The quantum is higher, at an estimated \$7.1M from 2018 to 2028. This funding source is subject to the same “sunset clause” in the 2017 legislation and will phase out after 18 April 2022. As noted previously, the Government has signaled its intention to reverse this decision but no Bill has yet been introduced. Open Spaces is also similar to Transportation insofar as the LTP identifies no CAPEX for growth within the \$14.5M of CAPEX recorded in the LTP under Recreation and Community Services and Open Spaces. While the population is expected to increase, the LTP and Open Space Strategy narratives around the impacts of growth on open space infrastructure paint a picture of incremental change and of addressing shortfalls in some areas as well as surplus open space in other areas. While Open Spaces CAPEX is likely to contain some CAPEX for growth, Officers expect renewals and improved LOS to be the primary investment drivers.

E. Community Infrastructure

Council has no provision for CAPEX for growth associated with the Library and Civic Centre Project within the DC for community infrastructure. At the last Policy Review, the LGA did not allow for CAPEX for this type of infrastructure. Parliament has amended the law so that the development contribution for community infrastructure can now include a contribution toward the Library and Civic Centre if Council agrees that a causal nexus for growth exists.

CAPEX for the Library and Civic Centre will be up to \$51.6M funded by loan over 40 years. There is a growth component in the design of both the Library and the Civic Centre, which warrants some analysis to decide whether a robust and defensible allocation of CAPEX for growth can be made.

Options

1. Do Minimum

This Option would entail reviewing the existing development contributions for water, wastewater, and community infrastructure only. This Option covers Issue A only.

2. Do More

This Option is the “Do Minimum” Option plus looking at new contributions for transportation (roading and footpaths) and stormwater. This Option covers issues A, B & C. Council could look at issues D & E in 2024.

3. Do All (Preferred)

This Option is the “Do More” Option plus looking at new contributions for Open Spaces and an expanded contribution for community infrastructure. This Option covers issues A, B, C, D, & E.

Assessment of Options

The “Do All” Option will place the greatest call on Officer and elected member resources. The DFC Policy review occurs at the same time as the Revenue & Financing Policy Review and other work on the development of the 2021-31 Long Term Plan. The primary benefit of “Do All” is that it enables Council to consider all the potential DFC issues and manages the risk that, by narrowing scope too early, Council is unable to achieve the benefits of funding CAPEX for growth from DCs.

Officers and elected members can address resource challenges by doing the initial work at a “high-level” and using the potential “off-ramps.” that occur through the policy development process. One of these is the clear identification of CAPEX for growth. Where this amounts to relatively small sums, the administrative complexity of DCs as a funding tool may weigh against funding CAPEX for growth through DCs.

Another important, and relatively early “off-ramp” is the identification of future demand. When this is quantified, the Council will develop both a sense of the level of CAPEX for growth that should feature in its work programme and an early indication of the likely quantum of DCs. The latter will help identify the Council’s appetite for DCs as a funding source and may direct a focus to work on fewer activities if Council prefers lower overall DCs per HUE as an incentive to encourage development.

5.9.5 Statutory Implications

Council must review its policy at least once every three years. Council normally does this work alongside the LTP. While this is not mandatory, Council needs to ensure that the DFC Policy is aligned with both the CAPEX and the growth projections set out in the LTP. Council must ensure its policy complies with the Local Government Act 2002, particularly s. 106 and ss. 197AA to 211. Amongst the purposes of a LTP is s. 93(6) (c), namely to... “*provide integrated decision-making and co-ordination of the resources of the local authority*”. The DFC Policy is one area where the quality of integrated thinking should shine through.

5.9.6 Significance and Engagement

This decision is of moderate significance. It proposes an investigation into widening the scope of the existing policy, and any policy changes can be the subject of consultation under s.82 of the Act before the final policy (reflecting LTP CAPEX proposals) is also the subject of consultation under the special consultative procedure.

The range of options discussed, and the level of analysis provided is appropriate for the significance of this matter.

5.9.7 Financial Implications

Officers plan to achieve the preferred scope within existing resources and expect that the scope may narrow as Council works through the policy process. If the full range of options was to remain within the scope of work, we may see resourcing pressures in the later stages of the project. Officers will monitor this aspect of the project and make appropriate recommendations if required.

Prepared By	Approved By
Richard Mabon Senior Policy Advisor	Paul Brake Group Manager, Business Support

ATTACHMENT

Pgs 75-79

Appendix 1 Process for review of development contributions

Appendix 1 – Process for Review of Development Contributions

NB – These diagrams draw heavily on the supporting documents to the Hamilton City Council Development Contributions Policy, which has been identified by the Productivity Commission as an example of leading practice in the sector.

Diagram 1 – Process Overview

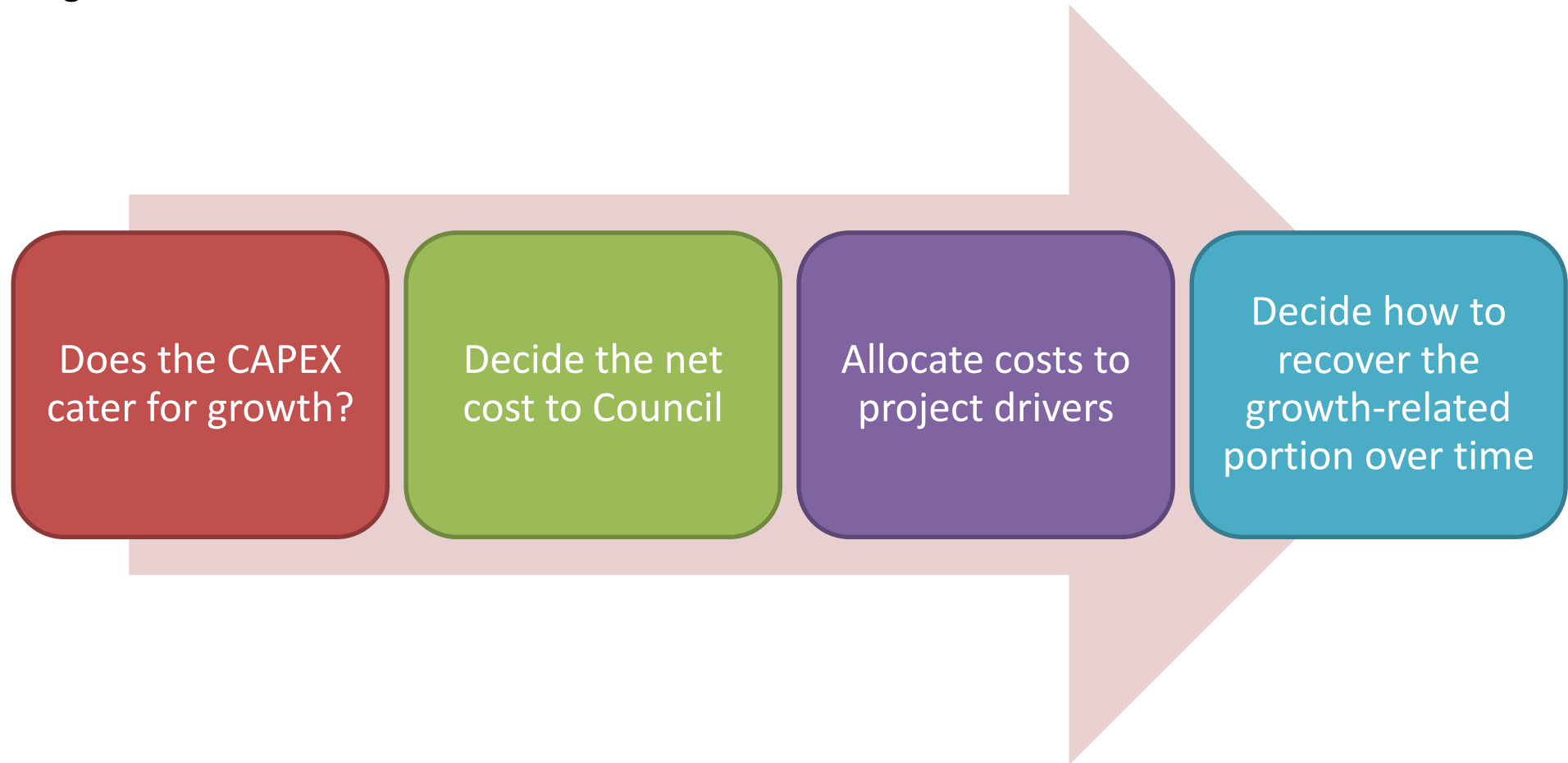


Diagram 2 – Does the CAPEX cater for growth?

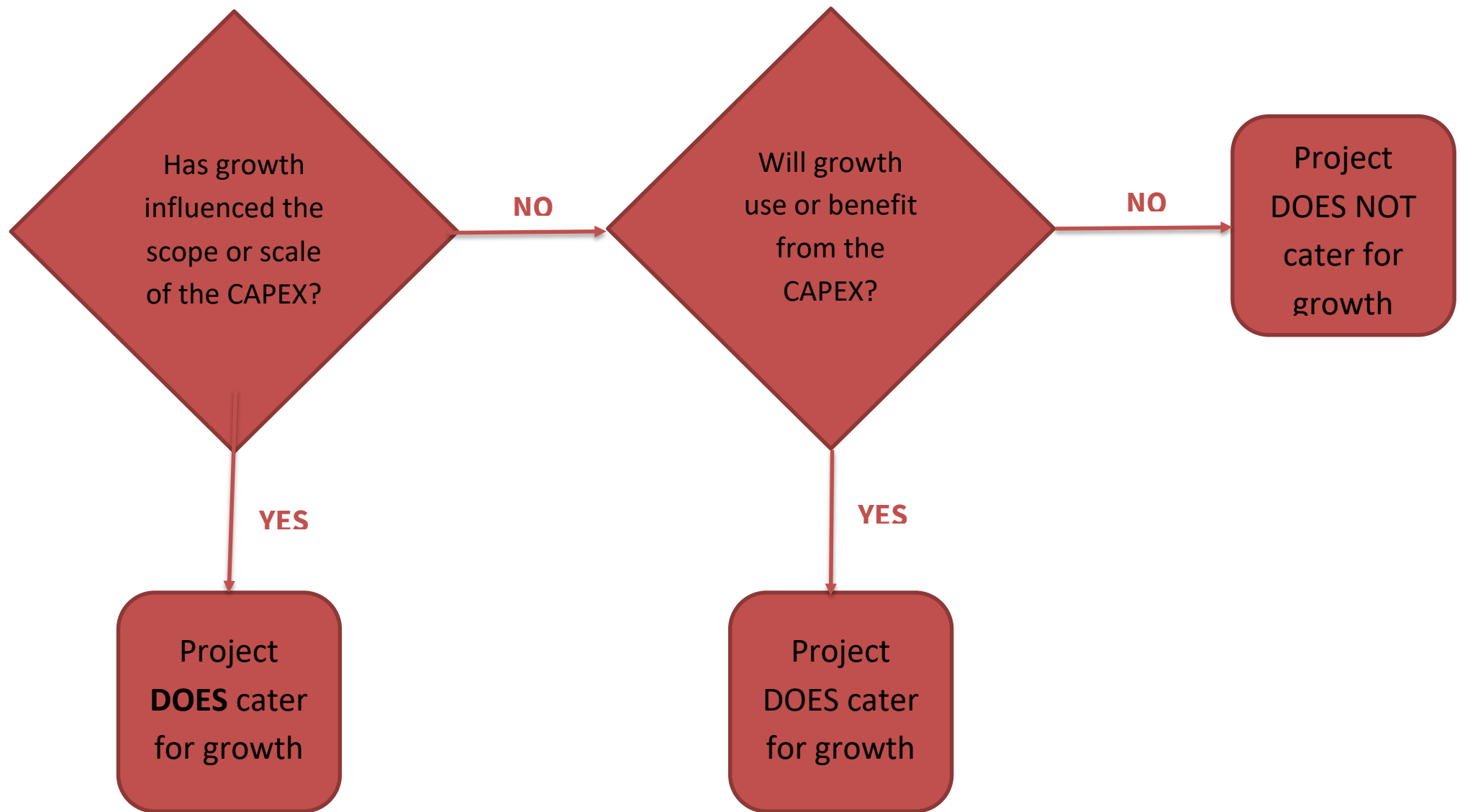


DIAGRAM 3 – Decide the Net Capital Cost to Council

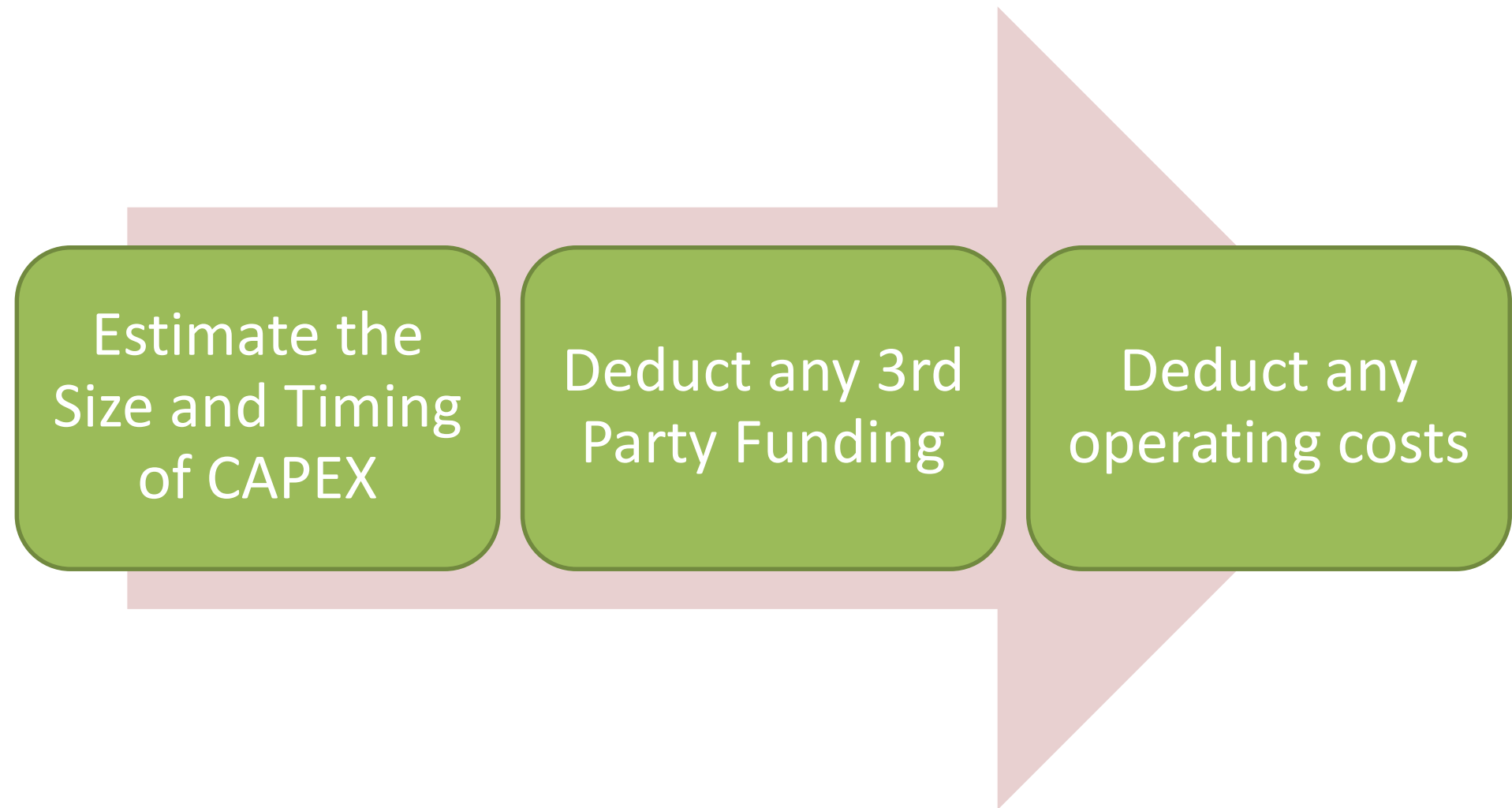


DIAGRAM 4 – Allocate Costs to CAPEX drivers

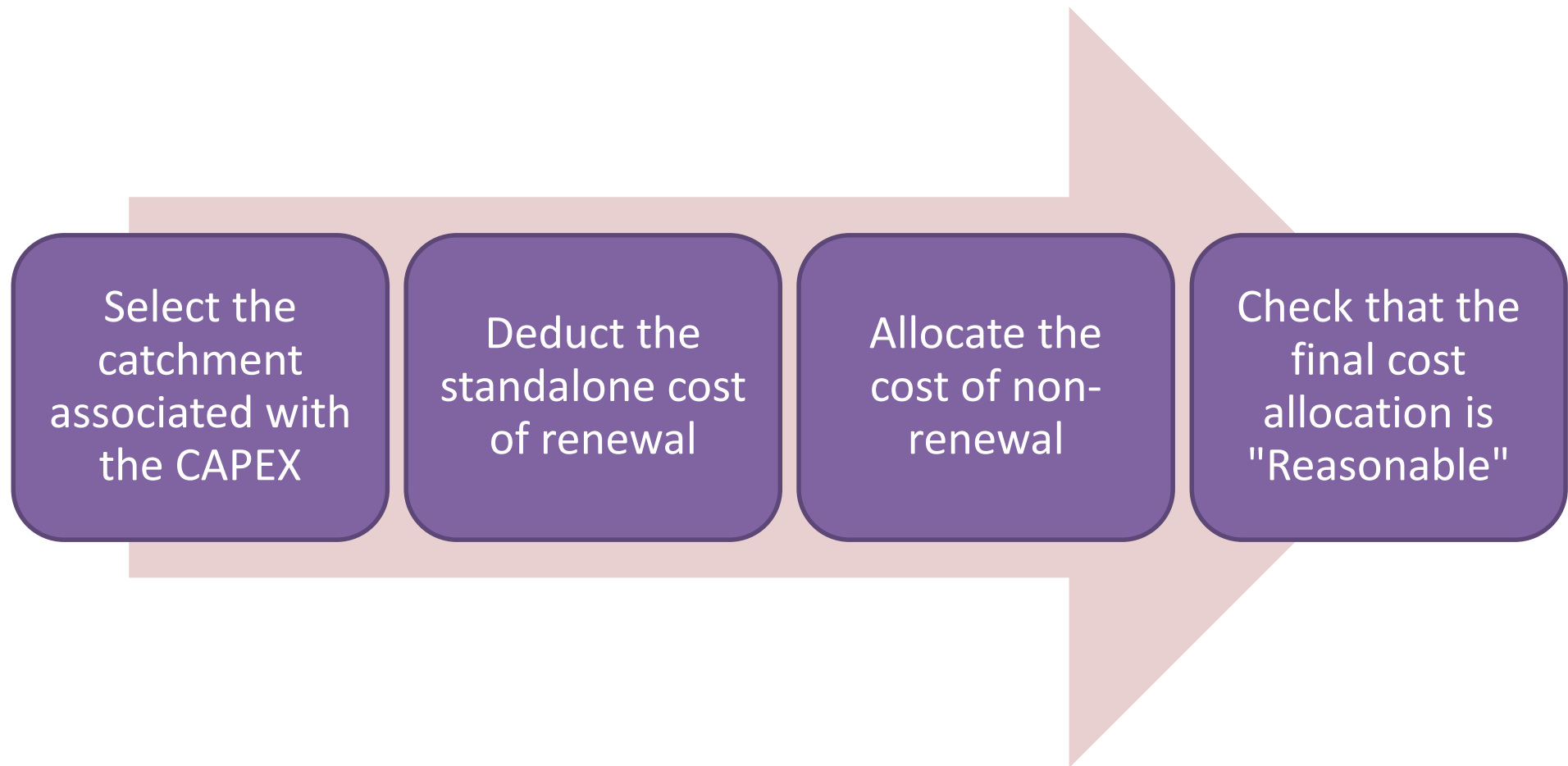
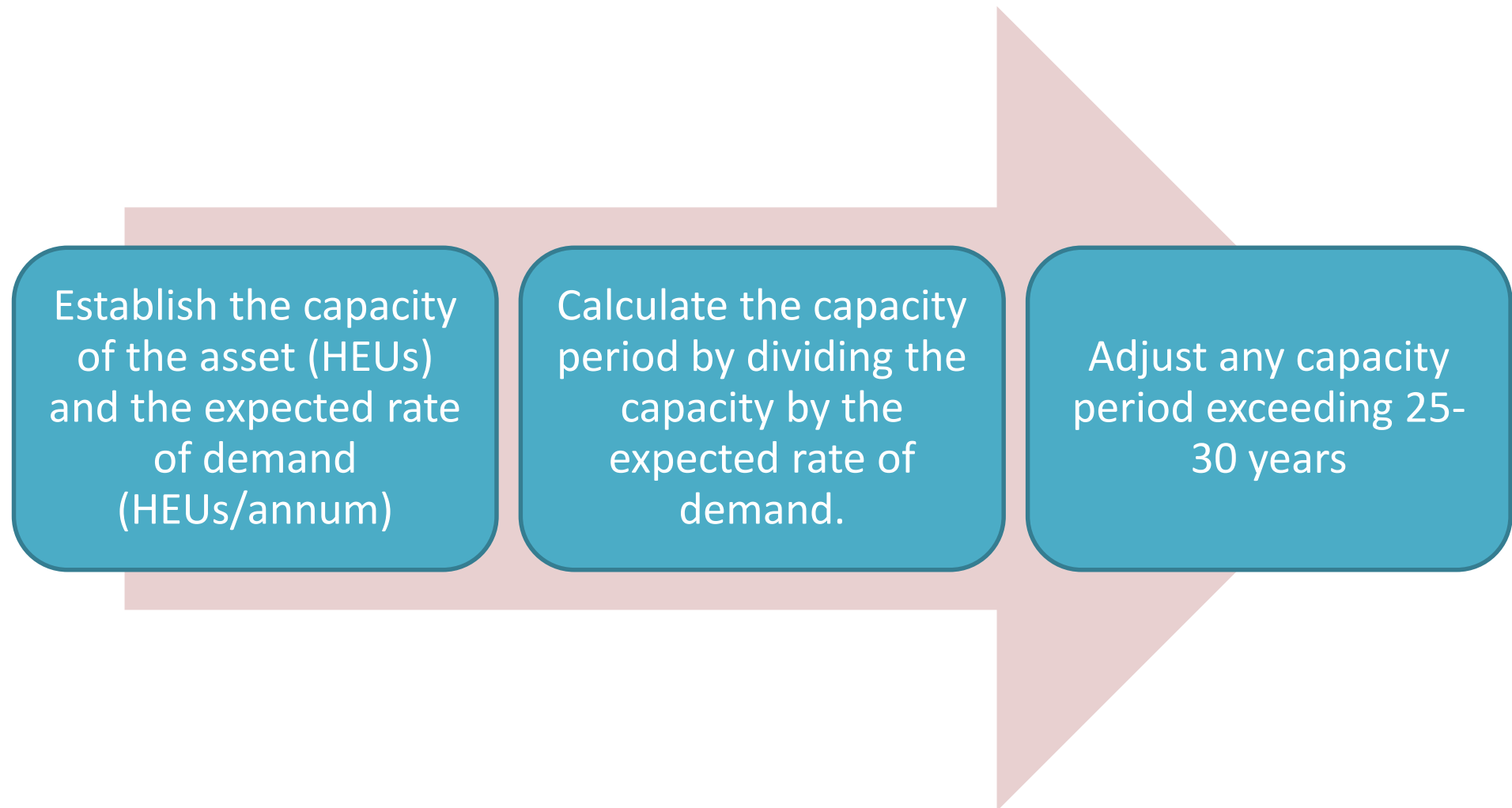


DIAGRAM 5 – Decide How to Recover the Growth-Related Portion Over Time



REPORT

Date: 15 August 2019
Report to: Council
From: Policy Adviser
Subject: Revenue and Financing Policy – scope of review

5.10 Revenue and Financing Policy – Scope of 2019/20 Review

5.10.1 Summary

The purpose of this report is to determine the scope for the review of Council’s Revenue and Financing Policy, which will be included in the 2021-31 Long-Term Plan. Although Council is only legislatively required to review this policy alongside the Long-Term Plan, officers recommend going further by conducting a high-level assessment of the available rating mechanisms to determine whether the rating system and impact on ratepayers can be improved. Council has an obligation to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. Conducting a full review into how rates are set helps Council meet this obligation.

The purpose of this report is not to provide a platform for debate on specific rating mechanisms (or lack of). These discussions will occur during the review. Rather, the intention is to gain approval on the scope of the review.

5.10.2 Recommendation

- | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none">1 That Council receives this report.2 That Council adopts Option Two – Do More as its preferred option for the scope of work for the 2019/20 review of the Revenue and Financing Policy. |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

5.10.3 Background

The Local Government Act 2002 (s.103) requires all councils to adopt a revenue and financing policy (R&FP) which outlines the approach to funding activities and services. The policy is required to be reviewed at least once every three years as part of the strategic planning for the next ten years.

Council’s R&FP sets out the funding for each activity or service provided to the community, and explains the reasons for each of these. The policy provides predictability and certainty about the sources of funding. In conjunction with the Long-Term Plan (LTP), certainty is also provided on the level of those funds. Around 47% of Council’s funding comes from rates, the rest comes from fees and charges, government subsidies, and other revenue streams (i.e. investments).

In determining how activities are funded, Council is obliged to equitably share the cost of delivering services across different users as well as ensuring equity between current and future generations. When deciding how to fund each activity, Council considers the nature of the activities/services provided and who benefits. Council takes into account:

- the distribution of benefits between the community as a whole, identifiable parts of the community and individuals (beneficiary pays principle)

- the period during which the benefits are expected to occur (intergenerational equity principle)
- the extent to which actions, or inactions, of individuals or groups, contribute to the need to undertake the activity (exacerbator pays principle)
- the costs and benefits of funding the activity distinctly from other activities.

The last review

The last review, conducted in 2017-18, included a desktop analysis, several workshops with elected members, a public meeting during consultation held at Lake Hood, and officers attending meetings of stakeholders. The review was in-depth but it did not extensively consider rating mechanisms or alternative funding arrangements or sources. This type of review was undertaken as officers assessed the majority of activities/services were being sufficiently and appropriately funded.

However, there were changes (some significant) as a result of the review:

- **Community pools** - a new Uniform Annual General Charge (UAGC) rate to provide annual funding to support community pools operating on Council reserve land
- **Community Grants and Funding** – all aligned under the UAGC, except the Memorial Hall and Reserve Boards funding (see below)
- **Democracy** - progressive shift in funding mechanism to 100% UAGC by 2020/21
- **Methven Community Board** - progressive shift in funding mechanism to 100% targeted rates using a uniform annual charge for Methven properties
- **District Planning** - splitting the funding sources to reflect the benefits of the different aspects of the activity
- **Lake Hood** - included in the urban amenity rate
- **Memorial Halls and Reserve Boards** - establishment of a new contestable fund, which is funded 100% from the General Rate.

The next review

Work on the 2021-31 LTP is beginning, therefore officers are looking to commence the review of the R&FP. The first step is to determine the project scope. Rating is a complex subject, and scoping a review is difficult unless a collective understanding of the current situation and legislative constraints exists. A summary of Council's rating requirements (an extract from the R&FP) is included.

Appendix 1

The options presented in this report are about sizing the review. An approach is proposed that focuses on a favourable result without trying to bite off more than can be chewed, or committing councillors to workshop every detail.

The objectives of the review:

1. Finding the best and most equitable way to use funding tools
2. Ensuring the rating system is sustainable to meet cost pressures
3. Improving equity for ratepayers
4. Ensuring legislative compliance.

Six things to remember when thinking about this review

1. Within the R&FP, there are rates and fees

The general rate and UAGC can be thought of as a tax, whereas some services apply the 'user pays' principles. Council only has the ability to tax one component of wealth which is property (land and buildings).

2. Rates can be thought of as a pie

This review considers how we should cut the pie up and apportion the rating burden. This review is not the place to hold discussion around how much money can be brought in by rates.

3. No rating system is perfect

There will always be someone who is unhappy with Council's rating system. Any change in the rating system shifts the cost onto others. Someone has to pay.

4. Equity principles are horizontal or vertical

The horizontal principle purports ratepayers in similar situations should pay similar amounts, compared to the vertical principle where those who are better off pay more than those who are worse off.

5. Administrative practicality is important

The rating system must be practical to administer, and easy to communicate to ratepayers.

6. Efficiency is crucial

The efficiency of a rate relates to the cost of administration. The other costs, such as assessments, enforcement etc, should be considered as part of the wider picture.

The review process

This policy will be reviewed alongside the Development & Financial Contributions (DFC) Policy. Officers intend to consult on and present both policies to Council for adoption by the end of 2020.

The first phase for both policies involves determining the scope of the review. Work will begin immediately after the scope is determined. Given the complexity of both policies, officers suggest an initial high-level desktop review would be useful for determining the areas that require in-depth analysis.

The second phase involves presenting the findings from that analysis to the new Council, and refining the scope of the review. Officers will look to develop introductory material to ensure all elected members involved have a good understanding of the policies, how they work in the district, and what the potential options are for change.

In the third phase, officers will draft the policies in discussion with Council and stakeholders. The engagement approach will be to involve key stakeholders in policy development. This requires Council working closely with the community throughout the process to ensure concerns and aspirations are consistently understood and considered.

The final phase, policy adoption, follows the special consultative procedure as is normally utilised for these policies.

Table One - Phases of the review

Phase	Action	Estimated timeframe
One	Determine broad scope <ul style="list-style-type: none">• Scope and key projects determined by current Council• High-level desktop analysis• Internal discussions and review	August – January 2020

Two	Refine scope <ul style="list-style-type: none"> • Officers inform and educate new Council • Report to Council presenting findings from high-level review • Scope refined by new Council 	Early 2020
Three	Policy development <ul style="list-style-type: none"> • Engage stakeholders • Draft policy and discuss with Council 	Mid 2020
Four	Policy adoption <ul style="list-style-type: none"> • Council adopt draft policy • Formal consultation process • Engage community • Hearings and deliberations • Council adopt final policy 	Mid-end of 2020

5.10.4 Options and Risks Considered

An R&FP is a legislative requirement. The only option, therefore, is to review the policy but the options vary regarding the scope of that review. Three options are proposed:

1. Do Minimum
2. Do More
3. Do Everything

The scope can be considered in terms of the number of activities and services that will be included in the review. For instance, at the lowest end of the spectrum, the review would only assess the consistency of the policy in applying rates (Do Minimum). There would be no activity specific assessment. At the top end of the spectrum, Council could look at assessing the funding of all of the activities and services (Do Everything).

The main difference between ‘Doing More’ and ‘Doing Everything’ relate to the activities/services included in the review. The ‘Do More’ option proposes to only look at identified key projects, whereas ‘Do Everything’ looks at identified key projects and conducts a high level review of all other activities. This high-level review will allow officers to assess if other areas require an in-depth assessment.

	Option One Do Minimum	Option Two Do More	Option Three Do Everything
Asses for inconsistencies and compliance	Yes	Yes	Yes
High level assessment of all activities	No	No	Yes

Benchmarking	No	Yes	Yes
Considering new rating mechanisms	No	Yes	Yes
Consultation	Yes Low level (s.82)	Yes SCP (s.83)	Yes SCP (s.83)

Table Two - Summary of options

Option One – Do minimum

It is an option to do only what is required under legislation. This type of review would assess the policy to ensure consistency and legislative compliance. The following would be considered in assessing the funding mechanisms of each activity/service:

- Distributions of benefits – between the community as a whole, any identifiable parts of the community and individuals
- Timeframes of benefits – the period where benefits are expected to occur. For example, the benefits may occur on an ongoing basis, but may also benefit future generations
- Contributors to need – the extent to which actions or inactions contribute to the need to undertake the activity/service
- Costs and benefits of distinct funding – the cost and benefits, including for transparency and accountability, of funding the activity distinctly from other activities.

If the review found the policy was consistent and compliant, then the policy could be rolled over. If the review found there were inconsistencies, the review could further drill into these areas. This process was utilised during the 2018 review of the R&FP, where Council looked at applying similar principles to the activities and services.

This type of review would include:

1. Assessing the funding of each activity to ensure the splits between ratepayers and user pays are appropriate
2. Considering adjustments to the existing rating tools, such as:
 - Applying differentials
 - Increased (if possible given the cap)/decreased UAGC
3. Modelling suggested changes and presenting these to Council
4. Council could opt for the minimum level of community consultation (s.82, LGA) (the full submission and hearing process is not required). This could involve targeted consultation with key stakeholders.

Option Two – Do more (second preference)

This is the ‘do some but not all’ option, and would see Council doing more than the last review.

This review would take a ‘first principles’ approach which requires ‘boiling things down’ to the fundamental truths and developing reason from there. This approach would only be applied to the three key projects, as detailed below.

The first step would be developing principles to guide the review, based on Council’s community outcomes and strategic priorities, and the four well-being’s (s.10, Local Government Act 2002). Within this option, key projects would be defined for review.

This review would include all aspects detailed in ‘minimal review’ but would include a first principles review of the following activities/services. These have been identified either by officers, or elected members during the previous R&FP review.

1. **Funding of water races** – includes investigating issues such as the minimum charge, and the assessment of allocation of benefit (i.e. assessing the beneficiaries of races)
2. **Funding of drinking water** - investigating if this service is being funded in the most appropriate way. This work will consider if universal metering would be appropriate for the district. Assessment will consider the water tariff structures of other local authorities
3. **Funding of rural surface water** - assessing the need for a fund to maintain waterways that provide a drainage function outside of townships.

The advantage of this option is that the review would conduct an in-depth analysis of the above key areas which could lead to changes which create more equitable outcomes. However, the disadvantage is that Council would need to be certain that these three areas are the only which require in-depth review. There would be no opportunity to broaden the scope and include additional focus areas under this option as there would be no high-level review of the other activities/services.

Option Three – Do most (recommended)

This option includes everything from the Do More option but also includes:

1. **High-level review** – The assessment would consider the appropriateness of each funding mechanism and explore alternatives for funding each activity or service. This would include:
 - Assessing the use of capital value as a measure
 - Assessing the existing distribution against the four well-being's
 - Reviewing the split between public and private
 - Reviewing the rating policy suite in-depth (i.e. Rates Remission Policy and Rates Postponement Policy).
2. **Non-rating revenue sources** – there may be services Council provides which are not being charged for. This work would include assessment of Council's fees and charges compared to the services which officers are actually carrying out (i.e. if a person requests a new road, should there be a charge for this? Are we charging for services in line with other councils?)
3. **Any others?** – other areas elected members would like officers to consider as part of the review.

The advantages of this option are that a full review would ensure the most equitable outcome for ratepayers, meet best practice, and instil confidence in elected members and officers that the rating mechanisms are sufficient. However, a review of this size brings the risk that by trying to do too much some key aspects could be missed. To mitigate this risk, only a high level review will be carried out across the Policy (as opposed to conducting a first principles review across the entire Policy). The three key projects identified in the Do More option would receive a first principles review.

5.10.5 Statutory Implications

Council is required by Section 102 of the Local Government Act 2002 to have this Policy, among others, in order to provide predictability and certainty to residents and ratepayers about the sources and levels of funding. The scope of the review is for Council to determine.

Section 103(2) allows the following funding mechanisms to be used when funding operating and capital expenditure:

- General Rates
- Uniform Annual General Charge
- Targeted Rates

- Grants and Subsidies
- Interest and Dividends from Investments
- Fees and Charges
- Borrowing
- Proceeds from Assets Sales
- Development or Financial Contributions
- Lump Sum Contributions
- Any other source

5.10.6 Significance and Engagement

Whichever option is preferred, Council must consult with the community using, at a minimum, the consultation process set out in s.82 of the Local Government Act 2002 (LGA) (s.102(4)a, LGA).

The scope of reviewing this policy has been assessed against Council's Significance and Engagement Policy and is considered to be of moderate significance given the widespread implications on rates and the likely interest of community members. It is therefore recommended Council consults with the community on the draft policy using the Special Consultative Procedure (s.83, Local Government Act 2002), prior to the inclusion of the policy in the Long-Term Plan. This is the same consultation process that was followed during the 2017/18 review.

Internal stakeholders

This policy impacts every area of Council therefore engagement with internal stakeholders is crucial. Officers have discussed the policy scope with managers, and the Leadership Team. Once the scope has been determined, officers intend to establish a dedicated project team for this review and include staff from the relevant areas of Council.

External stakeholders

It is recommended engagement with external stakeholders is carried out as part of the review. Officers will look to develop a stakeholder assessment and engagement plan.

5.10.7 Financial Implications

The preferred option could be carried out from within existing work programmes therefore would require no additional budget.

Prepared By

Rachel Thomas

Policy Adviser

Approved By

Paul Brake

Group Manager Business Support

ATTACHMENT

Pgs 87-88

Appendix 1

Summary of rating requirements

Appendix 1 – Summary of rating requirements (ADC Revenue & Financing Policy 2018)

	Uniform Annual General Charge	General rate	Targeted rates (Capital Value)	Targeted rates (UAC)	Fees and charges
TRANSPORTATION					
Roads			100%		
Footpaths & Cycleways		3 0 %	70%		
DISTRICT WATER MANAGEMENT					
Drinking water				100%	
Wastewater				100%	
Stormwater		1 0 %	9 0 %		
Stockwater Management		1 0 %		9 0 %	
WASTE REDUCTION & RECOVERY					
Solid waste collection				1 0 0 %	
Solid waste management		40%			60%
RECREATION & COMMUNITY SERVICES					
<i>Community Services</i>					
Elderly Persons Housing					100%
Public Conveniences	80%		20%		
Community safety (CCTV and security)	50%			50%	
Reserve Boards		50%	50%		
Reserves and Campgrounds		50%			50%
<i>Parks & Open Spaces</i>					
Cemeteries		20%			80%
Rural beautification		50%	50%		
Urban beautification (including Ashburton Domain)		50%	50%		
<i>Recreation Facilities</i>					
Ashburton Library	100%				
Ashburton Museum	100%				
EA Networks Centre	60%				40%
Community Pools	100%				
COMMUNITY GOVERNANCE & DECISION MAKING					
Community grants and funding	100%				

	Uniform Annual General Charge	General rate	Targeted rates (Capital Value)	Targeted rates (UAC)	Fees and charges
Reserve Boards and Memorial Halls Grant		100%			
<i>Democracy</i>					
Ashburton Zone Committee		100%			
Council	Yr 1 - 75% Yr 2 - 100%	Yr 1 – 25%			
Methven Community Board			Yr 1 – 25%	Yr 1 - 75% Yr 2 - 100%	
ECONOMIC DEVELOPMENT					
Business and economic development		100%			
Commercial Property	Contribution to general rate	Contribution to general rate			
District promotion (tourism)		50%	50%		
Forestry	Contribution to general rate	Contribution to general rate			
REGULATORY SERVICES					
Alcohol Licensing and Gambling Venue Consenting		20%			80%
Animal control		5%			95%
Building regulation		10 %			90%
District planning		20 %			80%
Environmental health	8 0 %				20%
Emergency Management	50%	50 %			
Land Information					100%
Parking					100%

REPORT

Date: 15 August 2019
Report to: Council
From: Policy Adviser
Subject: Submissions on NZ Productivity Commission's Draft Report Local Government Funding and Financing

5.11 NZ Productivity Commission Submission

5.11.1 Summary

The NZ Productivity Commission has been tasked by the Government to undertake an inquiry into local government funding and financing. The goal of the inquiry is to identify shortcomings in the current system to examine options for improving the outcomes for councils and, ultimately, ratepayers. The Commission has published a Draft Report and is currently seeking feedback.

The Executive Committee met to discuss to prepare a draft submission on behalf of Council on 7 August 2019. This report seeks approval of the submission.

5.11.2 Recommendation

That Council receives the report.

That Council approves the submission to the NZ Productivity Commission

5.11.3 Background

The background to the Commission's inquiry and a summary of the Draft Report were included in an officers report to the Finance & Business Support Committee on 1 August.

The Draft Report covers a range of matters, and as such, the approach taken in Council's submission is only to comment on topics where Council:

- does not agree with the recommendation
- strongly agrees with the recommendation
- can provide Ashburton District specific examples to support/oppose the recommendation.

This approach is in line with that of the Society of Local Government Managers (SOLGM).

Ashburton District Council's submission

The Executive Committee met on 7 August to discuss the content of the Council's submission (attached as Appendix 1). Council's position on the Draft Report, as drafted in the submission, is summarised as follows:

- Council supports:
 - The intent of the inquiry
 - Emphasising the benefit principle when levying rates and other charges
 - The availability of an accommodation levy and the international visitor levy but questions why these are only available for small or large tourist hotspots as this means ratepayers pick up the bill in other jurisdictions
 - Strengthening the relationship between central and local government, particularly concerning the unfunded mandates issue

- Removing the 30% cap on the Uniform Annual General Charge (UAGC)
 - SOLGM’s contention that Activity Management Plans should be a legal requirement
 - SOLGM’s contention that financial contributions should be reinstated.
- Council does not support:
 - Introducing value capture as a revenue source
 - Implementing a capital charge
 - Shifting the frequency of long-term plans from three to five years
 - Abolishing the UAGC and differentials
 - Establishing multiple agencies to support climate change adaption. Existing agencies may be equipped to handle these functions
 - Phasing out the rates rebate scheme and replacing it with a national rates postponement scheme
 - Taxation on vacant land
 - Developing a national template for development contribution policies.

Please refer to the draft submission for further details on Council’s position.

5.11.4 Options and Risks Considered

The recommended option is for Council to submit on this document. The other option Council may consider is not to submit to the NZ Productivity Commission.

Council may wish to make changes to the draft submission. These can be made during the meeting. The submission will be circulated to elected members for final comment by 22 August, before being submitted to the Commission on 29 August.

5.11.5 Statutory Implications

This submission relates to an inquiry as opposed to amending or developing an individual piece of legislation. The outcome of the inquiry may impact on various legislation, including but not limited to: the Local Government Act 2002, Local Government (rating) Act 2002, and the Land Transport Act 1998.

5.11.6 Significance and Engagement

This matter is not considered significant, and community consultation is not required.

5.11.7 Financial Implications

There are no financial implications with the decision to put forward this submission.

Prepared by	Approved by
Rachel Thomas	Toni Durham
Policy Adviser	Strategy and Policy Manager

ATTACHMENT

Appendix 1 Draft submission

5.11 Local Government Funding and Finance

Draft Submission

Local government funding and finance – Draft Report

PREPARED BY: Ashburton District Council
PO Box 94
ASHBURTON

SUBMITTED TO: NZ Productivity Commission
PO Box 8036
WELLINGTON 6143

Rachel Thomas; Policy Adviser
Rachel.Thomas@adc.govt.nz

Introduction

1. Ashburton District Council (“Council”) welcomes the opportunity to submit on the NZ Productivity Commission *Local Government Funding and Financing – Draft Report*. This submission is being made on behalf of the Council.
2. Located between Selwyn and Timaru Districts respectively, more than 34,100⁵ residents live in the District, with the main town of Ashburton accounting for 19,280 or 56% of residents. The rest of residents live rurally or in smaller towns or villages.
3. Ashburton District is one of New Zealand’s fastest growing districts in New Zealand following the 2013 Census⁶. Since 1996 the district has grown by 23% and this period of rapid but consistent growth follows an earlier period of little to moderate growth. Recent growth has occurred in both urban and rural parts of the district, driven primarily by strong growth in the local rural economy.

General discussion

4. Council supports the intent of the Productivity Commission’s *Inquiry into Local Government Funding and Financing*.
5. Council would like to refer the Commission to the submissions prepared by Local Government New Zealand (LGNZ) and the Society of Local Government Managers (SOLGM). In general, Council supports both organisations’ submissions, however, this submission highlights where the Council holds a differing view or opinion to that of SOLGM or LGNZ.
6. Council’s approach in this submission is not to provide responses to each of the 30 recommendations. Council provides comment where an Ashburton District specific example is relevant, or where Council strongly disagrees/agrees with a recommendation/finding.

Submission topics

Accommodation and international visitor levies

7. In the Draft Report, the discussion regarding an accommodation levy and councils accessing the international visitor levy is based on providing support to ‘tourist centres’. These ‘small’

⁵ Source: Statistics New Zealand Population Estimates 30 June 2017

⁶ Source: Statistics New Zealand 2013 Census

or 'larger' hotspots are not defined therefore it is difficult to determine which jurisdictions these levies are intended to support.

8. Ashburton District may not be considered either a small or large tourist hotspot; however, the impact of tourism on Council's infrastructure is still evident. Many tourists pass through the district and use services but yet ratepayers are expected to account for this cost.
9. Council suggests all councils should have the ability to set an accommodation levy and access the international visitor levy, proportionate to the number of visitors an area may receive.
10. The Commission should further investigate how these levies are distributed.

Rates rebate and remission policies

11. Council's rates rebate scheme is popular amongst qualifying ratepayers in the district, while our rates postponement scheme is not. Council agrees with the claim that the rates rebate scheme is administratively inefficient. However, if this scheme were to be removed and replaced with a national rates postponement scheme, Council is concerned the people currently receiving a rebate would not be eligible to join this and potentially be left out of pocket. Furthermore, Council is aware many ratepayers are reluctant to join the existing postponement scheme.
12. While change to the system is supported, the Commission should further consider the wider implications of the transition process and how other benefits, such as the Accommodation Supplement, could support the people who would no longer receive the rebate.

Taxation on vacant land

13. Council notes the Commission is seeking feedback on a tax on vacant land; however, there is very little information provided in the Draft Report regarding how this tax would operate. Council does not support taxation on vacant land.
14. Council is largely in agreement with SOLGM that 'vacant land' would need to be clearly defined. The Commission should provide more information regarding the rationale behind this scheme, beyond simply incentivising productive land use. The vacant land in Ashburton District is already subject to the UAGC therefore Council does not see any benefit in further taxing these landowners.

Funding policies

15. Council agrees with the Commission's discussion regarding the application of the benefit principle in determining who should pay for activities/services. In many respects, the Local Government Act 2002 already attempts to direct local authorities to consider beneficiaries. The problem therefore is how councils are interpreting this requirement.
16. Council is aware there are many different ways to determine how rates should be set. The approach taken by Ashburton District is to apply the benefit principle in the first instance, as recommended by the Commission. Elected members will always apply their own judgement in determining the public/private beneficiaries of Council services.

Rating tools

17. Council does not agree with the recommendation to remove the UAGC entirely. The UAGC is a useful rating tool for assessing the beneficiaries of a service. Council considers issues of fairness and affordability when determining who should pay for activities and services. Removing the UAGC could result in an inequitable distribution of the rating burden.
18. Council is not satisfied that relying on the general rate with a UAC and no UAGC would provide a sufficient means to allocate the costs of providing public goods, or district-wide services.

19. Councils have a limited range of funding sources, and removal of the UAGC and differentials could limit the ability to ensure beneficiaries pay. Removing the UAGC should be considered in line with the principles proposed by the Commission. The Commission emphasises the 'benefit principle', however, removing the UAGC could force Council to use other funding tools, which potentially do not adequately match the activity or service.
20. Council agrees with removing the 30% cap on the UAC. The process Council undertakes to determine rates involves assessing the beneficiaries of each service (as is the process recommended by the Commission). Given the number of higher value properties, particularly in the rural sector of the district, removing the 30% cap would allow Council to appropriately fund activities and services with a district-wide benefit.
21. Council does not support the recommendation to abolish differentials. Council currently applies differentials to differentiate location and availability of services (i.e. wastewater is set either on a connected or serviceable rate and depends on the location of the property). Council is not confident that targeted rates would achieve the same outcome.

Development contribution policies

22. Council does not support the development of a national template for development contributions (DCs) policies. It is accepted the process for developing DC policies is complex, as is the assessment of DCs by individual councils. However, councils should maintain the freedom to determine policy at a local level.
23. Each jurisdiction experiences different levels of development. While the Draft Report does not provide much information on what the standardised template would contain, Council is concerned there would be no ability to determine when to charge the DC (i.e. subdivision or building consent stage). This could amount to a significant change in process for many councils, and provide less incentive to develop.
24. Council questions why the scope of this inquiry does not consider whether the Crown should be paying development contributions. Council notes both SOLGM and LGNZ also highlight this issue in their submissions. As council rates are subject to goods and services tax, it would seem logical the Crown should pay development contributions.

Frequency of long-term plans

25. Council does not support the move for the frequency of LTPs to be reduced to every 5 years. While it is clear there are advantages to a longer timeframe, such as reduced staff resource and use of external contractors (including Audit NZ), the disadvantages outweigh these benefits. Developing the LTP provides each term of council the opportunity to incorporate their vision and values. Inheriting an LTP produced by a previous term of council would inevitably lead to a greater chance of amendments, particularly if the incoming council had different values/views to the council who set the LTP.
26. The Commission requests feedback on whether a five-year review term for LTPs could be set at a minimum, with councils choosing to review more frequently if they wish. If the frequency were to change to five years, Council does not believe it is necessary to give the option of reviewing sooner. This could add unnecessary pressure on smaller councils to review more frequently, if there are larger neighbouring councils who choose to do so and are better resourced. The community are likely to support frequent reviews, which could add further pressure in the interest of achieving the wellbeing outcomes through good engagement practices and transparency.
27. LTPs are an onerous task, particularly for members elected the year prior to beginning this work. It is commonly accepted that any projects set beyond year three of the LTP are less likely to proceed than those set in the first three. Any projects set in years 7-10 face an even greater

risk of not being pursued. Council suggests the Commission should review the focus of LTPs, as opposed to the frequency. As an example, a six-year focus could help ensure the projects included are realistic and achievable.

Capital charge

28. The Commission requests feedback on whether a capital charge would be a good way to incentive good asset management. Council is not in support of a capital charge, and suggests there are better ways to incentivise better asset management practices (i.e. guidance on business cases).

Improved relationship between central and local government

29. Council strongly supports the Commission's discussion regarding the need to improve the relationship between central and local government. Council also supports LGNZ's claim that central government should be required to estimate and publish costs of new legislation. This is particularly relevant for regulatory policy, and must also be considered when developing legislation on climate change.
30. Council is pleased to see the Commission has attempted to address the unfunded mandates issue and looks forward to further details on the 'partners in regulation protocol' in the final report.

Reporting framework review

31. Council supports a review of the reporting framework as the current framework is complex and the costs of implementing in some cases outweigh the benefits. Simplifying the required disclosures could help to streamline the content of LTPs, and remove duplication.

Activity Management Plans

32. While not specifically mentioned in the Draft Report, SOLGM suggest Activity Management Plans (AMPs) should be a legal requirement. Council supports this suggestion. The quality of AMPs varies not only between councils, but also within councils depending on the activity or service the AMP covers. Better guidance and a clear legislative requirement would provide the basis to ensure a minimum standard is met across all activities.
33. Ashburton District Council thanks the NZ Productivity Commission for the opportunity to submit on the Local Government Funding and Financing – Draft Report. Council is happy to provide further information if required.



DONNA FAVEL

Mayor

REPORT

Date: 15 August 2019
Report to: Council
From: Mayor

5.12 Mayor's Report

5.12.1 Mayor's Update

5.12.1.1 Biosecurity – Mycoplasma Bovis

- **Waimate/Waitaki Mycoplasma Bovis Advisory Group** - modelled on the Ashburton group, has been formed. The group membership includes Mayor Craig Rowley (Waimate) and Mayor Gary Kircher (Waitaki), a farmer advocate, MPI representatives, Federated Farmers, Rural Support Trust and an independent veterinarian. Their first meeting was held on 3 July. I have invited both Mayors to the next Ashburton M.Bovis Advisory Group meeting, Friday 16 August, also Geoff Gwyn will be in attendance.
- **CD Emergency Management** – Lydia Pomeroy (Regional Manager) and Simon Langley (Recovery Coordinator) presented an update on M.Bovis eradication response.

5.12.1.2 Dark Sky Forum

Chief Executive Hamish Riach and I attended the Dark Sky Forum hosted by the MacKenzie District Council, 21/22 June.

This was an informative and exciting way to see the Dark Sky plans in the place for the Mackenzie Basin. Plans have been underway since the 1980s for this area to receive Dark Sky status and others around New Zealand are trying to achieve the same. New Zealand is well placed to become a leader in the space, as many of the world's residents have high light pollution and seldom see the night skies. There is a desire that New Zealand become a Dark Sky Nation.

Speakers/tours included:

- Aoraki Mackenzie International Dark Sky Reserve Board (AMIDSR)
- Emeritus Professor John Hearnshaw
- Honorable Margaret Austin
- Cultural relationship of Dark Sky to Maori
- Mackenzie District Council Plan and Implementation
- Christchurch NZ – Tourism Opportunities
- Mt John Observatory Tour
- Tekapo Springs Stargazing Tour
- Earth & Sky new facilities Tour

MacKenzie District Council Mayoral Forum – 21 June 2019 Towards a Dark Sky Nation

The Forum acknowledges the dramatic success of the Aoraki Mackenzie International Dark Sky Reserve, the support of the Mackenzie District Council, the recognition of Great Barrier and Stewart Islands as Dark Sky Sanctuaries, the work being done in Naseby, Martinborough, Nelson and Tasman to achieve Dark Sky Park and Place status, and the recent determination of the Dunedin City Council to restrict its street lighting to downwards directed 3000K LEDs.

In order to move towards achieving Dark Sky Nation status for New Zealand it is moved that the Forum:

- Seek inclusion of regulations to require protection of the Night Sky in the Local Government and Conservation Acts;
- Provide the Ministry of Transport with environmental and human health evidence along with guidelines for Public places Lighting Design so that they will'
- Require NZTA to adopt the most appropriate guidelines;
- Engage in a nationwide awareness programme in association with AMIDSR

Moved: Margaret Austin/Seconded: John Hearnshaw

5.12.1.3 Tourism Infrastructure Fund

The Ashburton District will benefit from a share of the \$2.4 million being invested in the Canterbury area on tourism projects with the Rakaia Salmon site on State Highway One set to receive \$739,945. The funding will be used to install new toilet facilities and landscaping, which will include playground equipment, rubbish bins, signage and lighting. Congratulations and appreciation are extended to CE Hamish Riach and his team on securing this funding for our district.

5.12.1.4 NZ Aotearoa – Government Tourism Strategy Guidelines for Destinations Management

CE Hamish Riach and I attend a presentation by Ministry of Business, Innovation and Employment on NZ Aotearoa – Government Tourism Strategy Guidelines for Destinations Management. In very broad terms, from 1 July 2019 the New Zealand Government have introduced an international conservation and tourism visitor levy. The funds will be shared 50/50 between the Department of Conservation and Tourism. Further details can be found:

<https://www.mbie.govt.nz/immigration-and-tourism/tourism/new-zealand-aotearoa-government-tourism-strategy/>

5.12.1.4 LGNZ Annual Conference – Riding the Localism Wave: Putting Communities in Charge

CE Hamish Riach, Councillor Stuart Wilson, Councillor Thelma Bell and I attended the 2019 LGNZ Annual Conference in Wellington. The theme was 'Riding the Localism Wave: Putting Communities in Charge' The outcomes of the National Council meeting are detailed in a separate report.

A broad and varied range of speakers and topics including:

- **Localism: No.8 wire fixes to New Zealand's challenges** - giving local people the power to make local decisions
Alex Walker, Mayor, Central Hawke's Bay District Council
Dr Lance O'Sullivan, founder and chair of The MOKO Foundation
- **Localism - what's your natural advantage?**
Incentivising communities to take a more proactive approach to local development
Phil O'Reilly, Managing Director, Iron Duke Partners
- Climate change - a stitch in time
Alternative thinking to mitigating and adapting to the changing climate.
John Mauro, Chief Sustainability Officer, Auckland Council
Sophie Handford and Raven Maeder, School Strike 4 Climate NZ organisers
James Palmer, Chief Executive, Hawke's Bay Regional Council
- Parliamentary Opposition's address
A presentation on the party's view on localism and response to LGNZ's localism discussion paper.

Hon Jacqui Dean, Member for Waitaki, National Party

- Have you drunk the central government Kool-Aid?
An ex-local government back bencher view on localism.
Paul Eagle, Labour Party
Lawrence Yule, National Party
Chlöe Swarbrick, Green Party
- Minister of Local Government address
Hon Nanaia Mahuta, Minister of Local Government
- Housing and building in New Zealand - can we fix it?
Ensuring our infrastructure is not just fit-for-purpose, but supports sustained improvement in the quality of life for all New Zealanders, now and into the future.
Justin Lester, Mayor, Wellington City Council
Adrian Orr, Governor, Reserve Bank of New Zealand
- Managing fresh water - best practice, breakthroughs in innovation and barriers
We all have a role to play - the government, the farming sector, the businesses who use freshwater, communities and individuals - and if we all work together we can make a big difference.
Doug Leeder, Chair, LGNZ Regional Group
Terry Copeland, Chief Executive, Federated Farmers
Geoff Simmons, Leader of The Opportunities Party and former CE of the My River programme
- Out of the Shadows
Raising awareness of, and community support for, a greater investment in your community's cultural and natural heritage.
Natalie Palmer, Communication and Engagement Manager, Hamilton City Council
- Creating change: Inspiring leadership in local communities
Leadership in our communities
Colin D Ellis

Mayors Taskforce for Jobs – Annual General Meeting

I attended the annual general meeting of Mayors Taskforce for Jobs on Tuesday 9 July. The guest speaker was Rhys Gardner, CEO of G-Factor, who presented his latest driver simulation model.

5.12.1.5 Irish Ambassador – Mr Peter Ryan

The Ambassador of Ireland to New Zealand, Mr Peter Ryan, visited Methven, Wednesday 24 July. He visited Methven Primary School, attended a Friends of Ireland Lunch, met with myself and members of the Methven Community Board and spoke at the Methven Lions Club meeting.

From that meeting, I invited Colm McGrath – Irish Business Network New Zealand (IBNNZ) and Gary Manning (Dubliner, Methven) to speak at the International Relations Subcommittee Tuesday 6 August 2019. They did so, had read the NZIER Labour Force report and intend to work with Council on how Council and the IBNNZ can assist in finding WIN-WIN solutions.

5.12.1.6 June Ann Simpron

Councillors Bell, Price and I, met with June Ann Simpron, director of Tranz Education Services Limited in Ashburton on Saturday 27 July. Her proposal is to have a group of Filipino Agricultural Business people visit Ashburton District between 18-25 September.

From that meeting, I invited June to speak at the International Relations Subcommittee meeting on Tuesday 6 August 2019. June had delayed her flight one day to enable her to do that. Councillor Bell has been invited to visit the Philippines and join June, she is planning on doing so at her own cost of approximately \$1,000.

June has requested Council's assist on preparing a suitable on farm itinerary.

5.12.1.7 Blue Plaque Ceremonies

The Historic Places Mid Canterbury unveiled their 7th Blue Plaque in Mid Canterbury at the Ashburton Courthouse on 25 July. It was another wonderful celebration of our heritage. Very exciting to have the Chief Executive of Heritage New Zealand Pouhere Taonga - Andrew Coleman present. Andrew and Chris Greaney from the Ministry of Justice were tasked with the official unveiling.

At a meeting just prior to the unveiling, Andrew had updated Ashburton District Council on the Blue Plaque project and acknowledged the work done by Historic Places Mid Canterbury. The organisation were the recipients of the 2018 Outstanding Contribution to Heritage award at the Canterbury Heritage Awards.

5.12.1.8 Medical Students' – Community Contact Week

The Ashburton District Council once again are to host a group of third year medical students from Otago University as part of their Community Contact Week programme on 20 August 2019. In return for hosting the students the University makes a donation of \$500, which Council then gives to a charitable organisation of its choice.

Organisations who have previously received the donation:

1998	Order of St John
1999	Alzheimers Association (Ashburton Branch)
2000	Plunket Society (Mid-Canterbury Branch)
2002	Ashburton Palliative Care
2004	Ashburton Benevolent Fund
2005	Ronald McDonald House
2006	St Vincent de Paul Society
2007	Salvation Army
2008	Ashburton Branch of SPCA
2009	Ashburton Branch of Heart Foundation
2010	Base Café
2011	Ashburton Branch, N Z Red Cross
2012	CCS Disability Services
2013	Cancer Society, Canterbury/West Coast Division, Mid Canterbury Centre
2014	Hype Youth Health Centre
2015	Order of St John – Ashburton Branch
2016	Hospice Mid Canterbury
2017	Hospice Mid Canterbury
2018	Mid Canterbury Riding for Disabled

Recommendation

That the University of Otago Medical Students' donation of \$500 be given to _____

5.12.1.9 Te Runanga o Arowhenua

On Wednesday 24 July 2019, Council were invited by Te Runanga o Arowhenua, to visit Arowhenua Marae, for a meet and greet and catch up on issues. We heard that Council staff are meeting regularly with AEC (Aoraki Environmental Consultancy), both are pleased with the way the relationship is progressing.

Arowhenua are heartened to be involved with CBD Revitalisation, Climate Change Policy, Water Management and Resource Consents. Some gaps do seem to be appearing around advocacy, while the majority of the Runanga population is served by the South Canterbury DHB, people in the Ashburton District are connected to Canterbury DHB.

At a recent Water Zone Committee meeting, DOC shared some test results on the health of the high country lakes. Ngai Tahu were concerned and have requested that a meeting / hui be led by Te Runanga o Arowhenua, on the health of the lakes and how this is to be best managed. A Hui was planned for Wednesday 31 July, unfortunately, due to a tangi at Arowhenua Marae, this meeting has been postponed until Friday 30 August. Councillor Stuart Wilson, Group Manager Environmental Services Jane Donaldson and myself, have been invited.

5.12.1.11 Ashburton Intermediate School – Student Volunteer Army

On Monday 29 July 2019, I met with two charming students from Ashburton Intermediate, Mitchell Lye and Aiden Lapham. During Term 3, they are looking for projects that the Ashburton Intermediate School (AIS), Student Volunteer Army (SVA) can assist with. The AIS SVA have 25 members and are looking for a number of projects to fill all 10 weeks of their project. They are available on a Wednesday afternoon.

Mitchell and Aiden were also invited to two meetings on Wednesday 7 August 2019, the Ashburton Youth Council and the Hakatere River Trail, to offer their volunteers.

5.12.1.12 Heritage New Zealand – Chinese Market Garden Settlement

Sunday 7 July 2019 – It was exciting news that the Ng King Chinese Market Garden Settlement on Allens Road, was declared an archaeological site. While sites that were occupied before 1900 are automatically protected, the Ng King Bros market garden and settlement was established in 1921, and is only the 8th site in New Zealand to get protection by declaration. This is a rare process that protects the buildings as well any features underground, and shows that the site is highly significant.

The site is unique as the only remaining set of buildings associated with early 20th century Chinese market gardening in New Zealand. Although some of the original buildings have been removed over the years, the core of the settlement remains standing, including an outdoor pig roasting oven which was restored in 2013. The settlement is a unique reminder of a once-flourishing business, the 20th century Chinese immigrants who drove it, and the important contribution they made to the Ashburton community and wider Canterbury region.

The site is cared for under a Memorandum of Understanding between the Ng King Families and Ashburton District Council.

5.12.1.13 Hekeao Hinds Water Enhancement Trust (HHWET)

Hekeao Hinds Water Enhancement Trust (HHWET) Managed Aquifer Recharge (MAR) trials are continuing and results are positive. The recently established HHWET, are currently stymied by little in the way of funds. They are very happy with the “In kind” funds being provided. While they have applied to the Provincial Growth Fund (PGF), for \$960,000 – for a total project costs of \$1,972,000, a grant at this stage, would help to get some quick runs on the board. ECAN have budgeted \$125,000 for 2019/20 trials and Dr Brett Painter has asked if ADC would match that.

Officers have been requested to prepare a report on the recent formation of the HHWET, progress to date and planned delivery. Officers will provide opinion on the request for \$125,000 plus gst which will be presented at the next Service Delivery meeting.

Correspondence from Dr Brett Painter, who has offered to make himself available for a workshop, is attached.

Appendix 1

5.12.1.14 Canterbury Mayoral Forum

CE Hamish Riach and I attended the Canterbury Mayoral Forum on Friday 9 August.

At the Mayoral Forum working dinner held on Thursday 8 August a report on the overview of wellbeing in Canterbury, as the first stage in identifying priorities for Mayoral Forum leadership, facilitation and advocacy in the next local government term was discussed.

A copy of this report has been e-mailed to all Councillors.

5.12.2 Mayoral Calendar

Below is the Mayoral Calendar, since the last Mayor's report:

June 2019

- 24 June: Plains Railway representatives
- 25 June: Book Library Launch
- 25 June: ADC / ECAN Ashburton Zone Water Committee
- 25 June: ADC / ECAN Hinds Hekeao Water Enhancement Trust
- 27 June: ADC Administration and Library PCG meeting
- 27 June: ADC Council Meeting
- 28 June: Met with Rachel Hyde – Department of the Prime Minister and Cabinet, re Civil Defence Emergency Management – with Mayors Ayers, Daly and Dalziel
- 28 June: David Smith – General Manager IPLEX
- 28 June: Tim Kuipers and Andy van Ameyde – Ashburton Christian School
- 29 June: 25 Year Celebration – Ashburton Volunteer Fire Fighter – Eamon Hooper
- 30 June: Ashburton Museum and Historical Society – Speaker CFO Alan Burgess

July 2019

- 1 July: Kevin Clifford and Councillor Liz McMillan re: Refugee Settlement
- 1 July: ADC Methven Community Board and Mt Hutt Memorial Hall
- 1 July: Ashburton Society of Arts – Exhibition Opening
- 2 July: NZ Aotearoa – Government Tourism Strategy Guidelines for Destinations Management
- 3 July: Dan Schmidt and Sharon Ritchie - MPI
- 3 July: ADC Ashburton Youth Council
- 4 July: Met with Sheryl Bok – Department of Corrections
- 4 July: Alister Lilley and Graham Kennedy - Lake Hood Extension Project
- 5 July: Mycoplasma Bovis Advisory Group
- 5 July: Ashburton Bowling Club representatives with CE Riach
- 6 July: Super Rugby Final – Guest of Stadium Complex Trust
- 6 July: Attended the opening of Sky Diving Kiwis CHC HQ – New Regent Street
- 7 July: Heritage New Zealand – Chinese Settlement Announcement – *Cr Braam deputised*
- 7 July: Hiromi Morris, Sister Cities New Zealand re SCNZ 2020 conference
- 7-9 July: LGNZ Conference, Wellington – with CE Riach and Crs Bell and Wilson
- 9 July: Ambassador Jesus Domingo – upcoming Filipino Event
- 9 July: Mayors Taskforce for Jobs AGM, Wellington
- 10 July: SOLGM Webinar – The Funding Inquiry, the Journey Begins – Productivity Commission
- 10 July: Methodist Church - Leave taking ceremony and removal of stone and time capsule

- 11 July: Plains Railway and APMT Representatives with CE Riach
- 11 July: Minister Tracey Martin and MP Jo Luxton – re: FENZ
- 11 July: Lynn Historical Woodworking Trust AGM
- 12 July: Rakaia Library and Rakaia Community Association representatives
- 14 July: Rural Support Mid Canterbury – Farming Families Day
- 15 July: Advance Ashburton
- 16 July: Hakatere Consent Review Committee meetings, Ashburton and Methven
- 17 July: Patrick Davis – Wholesale Seeds
- 18 July: Blinc Workshop – Climate Crisis Call to Action Workshop
- 18 July: Met with residents wanting to host a “Winter Market”
- 19 July: Craig Carr - Carrfields
- 19 July: Ashburton Writers’ Group – Annual Short Story and Poetry Children’s Competition
- 19 July: MP Andrew Falloon evening - with guest MP Paulo Garcia
- 23 July: Elizabeth Street Day Care residents
- 23 July: Election Candidates Information Evening
- 24 July: Arowhenua Marae Visit
- 24 July: RDRML – Ben Curry Farewell
- 24 July: Irish Ambassador – Peter Ryan
- 25 July: EA Shareholders Chairman – Ian Cullimore and CE Hamish Riach
- 25 July: Ministry for the Environment – Action of Agricultural Emissions seminar
- 25 July: ADC Environmental Services and Service Delivery
- 25 July: Attend Blue Plaque unveiling at the Ashburton Court House
- 25 July: ADC Extraordinary Council Meeting
- 26 July: Hekeao Hinds Water Enhancement Trust Strategy Workshop
- 26 July: Rural Women NZ – Region 2 Canterbury Conference
- 27 July: June Simpron – Tranz Education Services Limited
- 29 July: ADC Library and Admin Project Control Group
- 29 July: Mitchell Lye and Aiden Lapham – Ashburton Intermediate School Student Volunteer Army
- 30 July: Rotary Club of Ashburton – key note speaker Sue Lindsay

August 2019

- 1 August: ADC Bylaw & Policy Sub Committee meeting
- 1 August: ADC Finance & Business Support meeting
- 1 August: Ashburton Citizens Association meeting
- 2 August: Water Race Network Advisory Group
- 2 August: Ashburton College Alumni Event House Networking meeting
- 3 August: Sister City Board meeting, Wellington
- 6 August: Road Safety Coordinating Committee
- 6 August: ADC International Relations Sub Committee
- 7 August: Executive Committee - Local Government Funding and Financial Submission
- 7 August: Executive Committee – Agricultural Emissions Submission
- 7 August: St Joseph Book Week
- 7 August: ADC Ashburton Youth Council
- 8-9 August: Canterbury Mayoral Forum
- 9 August: Mid & South Canterbury Master Builders Awards – Caroline Bay, Timaru

Donna Favel
Mayor

ATTACHMENTS *Pgs 100-101*

Appendix 1 Hekeao-Hinds Water Enhancement Trust

xx month year

Donna Favel

Mayor of Ashburton
Ashburton District Council
P.O. Box 94
Ashburton 7740

Dear Donna

Funding request from Hekeao Hinds Water Enhancement Trust for Hekeao / Hinds Managed Aquifer Recharge Project

The Hekeao Hinds Water Enhancement Trust (HHWET) have greatly appreciated the support of the Ashburton District Council (ADC) to date for the Hekeao / Hinds Managed Aquifer Recharge Project. This support has primarily taken the form of ADC stockwater, ADC land and ADC in-kind staff time. Due to a gap in project grant funding, HHWET request consideration by ADC of \$125,000 +GST grant funding in the 2019/20 financial year to match equivalent Environment Canterbury grant funding. This will enable urgent project assessments and upgrades to take place while longer term grant funding is secured.

In September 2018, HHWET submitted an expression of interest to the Provincial Growth Fund (PGF), seeking grant funding of \$960,000 for a 30 month project to complete Hekeao / Hinds MAR feasibility and a Business Case to discuss with the Hekeao / Hinds community. Applicant funding included \$460,000 grant funding from Environment Canterbury, \$475,000 in-kind funding from Environment Canterbury, \$63,000 in-kind funding from Fish and Game, and \$24,000 in-kind funding (for an initial period of 12 months) from MHV Water Limited. An offer from PGF to proceed to a full grant application was responded to in December 2018.

Progress through PGF processes has been slow, with consideration by the Officials Group now timed for early August 2019. Final decision making and contracting is then expected to be a number of months in duration. In-kind project support has continued through the period without grant funding, but the grant funding from Environment Canterbury is committed to the PGF application and cannot therefore be spent until the agreement with PGF is signed.

With current MAR trial consents expiring in February 2021 and with shallow nitrate concentrations continuing to rise, the following project workstreams urgently require grant funding to enable procurement of relevant consultant expertise:

- MAR site optimisation to increase recharge rates, in particular for the MAR sites situated up-gradient from the community water supplies of Tinwald, Hinds and Mayfield. Drinking water is a first order priority in the Canterbury Water Management

Our ref: HHWET grant funding request

Your ref:

Contact: Brett Painter <brett.painter@ecan.govt.nz>

Strategy (CMWS) and this workstream specifically addresses the CWMS 2020 Drinking Water target “*A demonstrable decrease in nitrate concentrations in shallow groundwater in priority areas is achieved.*”

- New MAR site prioritisation. This assessment includes:
 - MAR sites and stockwater races on public land that could be connected to RDRML/MHV Water/BCI distribution;
 - Supply rate potential (in collaboration with RDRML/MHV Water/BCI);
 - Learnings to date from test sites including soil profile, depth to water and recharge potential;
 - Potential to influence drinking water supplies (community and individual);
 - Catchment spread of MAR sites and current nitrate concentration spread.

This workstream will specifically support ADC Surface Water Strategy Objectives 1.4, 2.1 and 2.3.

- Assessment to support the development of a catchment-wide MAR monitoring network, starting with current public and private bores. This workstream will enable collection of baseline monitoring information as well as improve catchment wide understanding of drinking water nitrate risk.

Please do not hesitate to contact me if further information or discussion is required.

Yours sincerely

Dr Brett Painter

Environment Canterbury Project Leader: Hekeao Hinds MAR Project

REPORT

Date: 15 August 2019
Report to: Council
From: Mayor

5.13 Local Government New Zealand

5.13.1 Local Government NZ Conference 2019

5.13.1.1 LGNZ Conference & AGM – 7-9 July 2019

CE Hamish Riach and I attended this year's Conference in Wellington along with Crs Stuart Wilson and Thelma Bell. The Conference theme was "Riding the Localism Wave – Putting Communities in Charge".

Mayor Dave Cull (Dunedin Council) was reappointed President and Stuart Crosbie the Vice President.

5.13.1.2 Conference Remits

Local Government New Zealand AGM - Remits

A record 21 remits were made official Local Government New Zealand (LGNZ) policy at LGNZ's Annual General Meeting on 7 July 2019, from a total of 24 remits that were voted on.

This year's remits covered issues as varied as climate change, to fireworks, tourist accommodation, building defects, campgrounds, alcohol, road safety and the beauty industry.

Remits were voted on and once passed become official policy to be actioned by Local Government New Zealand.

The remits results are outlined below:

1. Climate change – local government representation

That LGNZ calls on the Government to include local government representation (as determined by local government) at all levels of policy development, technical risk and resilience assessment, and data acquisition on climate change response policies – with an emphasis on climate adaptation: policy; legal; planning; and financial compensation regimes.

The remit was passed with 100 per cent support of the sector.

2. Ban on the sale of fireworks to the general public

That LGNZ works with central government to introduce legislation to ban the sale of fireworks to the general public and end their private use.

The remit was passed with 67 per cent support of the sector.

3. Traffic offences – red light running

That LGNZ request the Government to bring into line camera and officer detected red light running offences with other traffic offences that incur demerit points.

The remit was passed with 87 per cent support of the sector.

4. Prohibit parking on grass berms

To seek an amendment to clause 6.2 of the Land Transport (Road User) Rule 2004 to prohibit parking on urban berms.

The remit failed with 71 per cent of the sector against.

5. Short-term guest accommodation

That LGNZ advocates for enabling legislation that would allow councils to require all guest accommodation providers to register with the council and that provides an efficient approach to imposing punitive action on operators who don't comply.

The remit was passed with 70 per cent support of the sector.

6. Nitrate in drinking water

That LGNZ recommend to the Government the funding of additional research into the effects of nitrates in drinking water on human health, and/or partner with international public health organisations to promote such research, in order to determine whether the current drinking water standard for nitrate is still appropriate for the protection of human health.

The remit was passed with 95 per cent support of the sector.

7. Local Government Official Information and Meetings Act (1987)

That LGNZ initiates a review of Local Government Official Information and Meetings Act (1987) (LGOIMA) request management nationally with a view to establishing clear and descriptive reporting for and by local authorities that will create a sector-wide picture of:

- Trends in the volume and nature of LGOIMA requests over time.
- Trends in users.
- The impacts of technology in terms of accessing information sought and the amount of information now held by local authorities (and able to be requested).
- The financial and resource impacts on local authorities in managing the LGOIMA function.

That LGNZ use the data obtained to:

- Identify opportunities to streamline or simplify LGOIMA processes.
- Share best practice between local authorities.
- Assess the value of a common national local government framework of practice for LGOIMA requests.
- Identify opportunities to advocate for legislation changes on behalf of the sector (where these are indicated).

The remit was passed with 95 per cent support of the sector.

8. Weed control

That LGNZ encourages member councils to consider using environmentally friendly weed control methods.

The remit was passed with 93 per cent support of the sector.

9. Building defects claims

LGNZ calls on central government to take action as recommended by the Law Commission in its 2014 report on “Liability of Multiple Defendants” to introduce a cap on the liability of councils in New Zealand in relation to building defects claims whilst joint and several liability applies.

The remit was passed with 93 per cent support of the sector.

10. Social housing

That LGNZ, in conjunction with central government, urgently focus on the development and implementation of a broader range of funding and financing tools in respect of community/social housing provision, than those which currently exist in the housing needs space. These should include funding to support the operation, upgrade and growth of council housing portfolios and, where a council chooses, access to Income Related Rents for eligible tenants.

The remit was passed with 96 per cent support of the sector.

11. Procurement

That LGNZ investigate the ability of the sector to collaborate in procuring open-source designs and plans for bulk infrastructure that are largely similar, with an initial approach to look at water and wastewater treatment facilities.

The remit was passed with 96 per cent support of the sector.

12. Single use polystyrene

That LGNZ advocates to the Government to phase out single use polystyrene.

The remit was passed with 95 per cent support of the sector.

13. Local Government Act 2002

That LGNZ pursue an amendment to the Local Government Act 2002 to:

- a. Re-number sub-sections 181 (5) and (6) to sub-sections (6) and (7);
and
- b. Introduce a new sub-section (5) to read: For all purposes the term “any work” in subsection 4 means any works constructed before xx Month 20xx; and includes any works that were wholly or partly in existence, or work on the construction of which commenced, before xx Month 20xx.

The remit was passed with 92 per cent support of the sector.

14. Campground regulations

That LGNZ request the Government to amend the Camping – Ground Regulations to allow councils to approve remote camp facilities on private property, subject to any such conditions as deemed required by a council, including the condition that any approved campground is x distance away from an existing campground, unless the existing campground operator agrees to waive this condition in writing.

The remit was passed with 86 per cent support of the sector.

15. Living wage

Wellington City Council asks that LGNZ members consider engaging with the Living Wage Aotearoa New Zealand Movement when developing policies on payment of the Living Wage.

The remit was passed with 62 per cent support of the sector.

16. Sale and Supply of Alcohol Act

LGNZ, on behalf of its member councils ask for a review of the effectiveness of the Sale and Supply of Alcohol Act 2012 in reducing alcohol harm (eg price, advertising, purchase age and availability) and fully involve local government in that review.

The remit was passed with 88 per cent support of the sector.

17. Greenhouse gases

Wellington City Council asks that LGNZ members collectively adopt the position that government should revise the Resource Management Act 1991 to adequately consider the impact of greenhouse gases when making decisions under that law and to ensure that the Resource Management Act 1991 is consistent with the Zero Carbon Bill.

The remit was passed with 64 per cent support of the sector.

18. Climate change – policy framework

That LGNZ recommends to government that they establish an independent expert group to develop a new policy framework for adapting to climate change impacts as recommended by the Climate Change Adaptation Technical Working Group (CCATWG). This new expert group would be supported by a secretariat and stakeholder advisory group.

The remit was passed with 95 per cent support of the sector.

19. Road safety

- 1) That LGNZ acknowledges that the New Zealand Transport Agency's (NZTA's), Code of Practice for Temporary Traffic Management (CoPTTM) is a comprehensive and robust document, and that NZTA ensures the CoPTTM system is regularly reviewed, refined and updated. However, in light of the recent road worker fatalities LGNZ requests NZTA, in partnership with Road Controlling Authorities (RCAs);
 - i) Review afresh its Code of Practice for Temporary Traffic Management (CoPTTM) to satisfy themselves that;
 - (a) The document provides sufficient guidelines and procedures to ensure approaching traffic are given every possible opportunity to become aware of the worksite ahead and to respond appropriately and in a timely manner.
 - b) Review its CoPTTM Training System to ensure;
 - i) Trainers are sufficiently qualified and adequately covering the training syllabus.
 - ii) Site Traffic Management Supervisors (STMS's) and Traffic Controllers (TC's) are only certified when they can demonstrate competence in the application of CoPTTM.
 - iii) A robust refresher programme is in place to ensure those in charge of Traffic Management on worksites remain current in the required competencies.
 - c) Review its Site Auditing requirements to ensure the traffic management at worksites is independently audited at a sufficient frequency to ensure compliance, and that a significantly robust system is put in place to enable enforcement of compliance.
 - 2) That LGNZ takes steps to remind its members of their duties with respect to their role as Road Controlling Authorities including;
 - a) Appointing and sufficiently training and resourcing a Traffic Management Co-ordinator to ensure their obligations under the Health and Safety Work Act 2015, with respect to traffic management, are being met.

- b) Adequately resourcing and undertaking audits of road work sites to ensure compliance with CoPTTM.

The remit was passed with 96 per cent support of the sector.

20. Mobility scooter safety

That LGNZ requests that government investigate the introduction of strengthened rules to govern the safe use of mobility scooters, particularly in relation to speed limits and registration.

Mobility scooters - The remit was passed with 73 per cent support of the sector

E-Scooters - The remit was passed with 49 per cent support of the sector. (Passed because of the number of abstentions.)

21. Museums and galleries

That central government funding be made available on an annual basis for museums and galleries operated by territorial authorities with nationally significant collections.

The remit was passed with 91 per cent support of the sector.

22. Resource Management Act

That the selection of all independent commissioners for Resource Management Act hearings be centralised to improve independence and enhance the quality of decisions.

The remit failed with 76 per cent of the sector against.

23. Mayor decision to appoint Deputy Mayor

That LGNZ request the Government to amend S.41A of the LGA2002 to give mayors the same powers to appoint a deputy mayor as held by the Mayor of Auckland.

The remit failed with 72 per cent of the sector against.

24. Beauty industry

That LGNZ calls on the Government to develop and implement national guidelines, policy or regulations to achieve national consistency for the largely unregulated 'health and beauty clinic' industry.

The remit was passed with 84 per cent support of the sector.

5.13.2 Rural and Provincial Sector Meeting – Wellington, 6-7 June

CE Hamish Riach and I attended the Rural & Provincial Sector meeting in Wellington on 6-7 June along with Deputy Mayor Neil Brown and Crs Thelma Bell and Diane Rawlinson.

Cr Brown comments:

- 1 billion trees – most North Island councils are against planting trees in their “patch” when good farmland is being bought up and planted in trees. The land is being bought generally by overseas companies, funded by carbon credits; the trees may never be harvested and thousands of jobs are being disestablished from the sheep and beef farms with flow-on effects to the communities eg., schools, shops etc. There are now 7-8 jobs per thousand hectares with farming and, with trees there is one job per thousand hectares; this shows that trees are good in the right place.
- Ron Mark, Minister of Defence. The Orions are being replaced with new ones - the old are very old and regularly break down.

- James Shaw – discussion on the well-being budget; they think they've got it right!
- NZTA – restrained by cash. The majority of North Island councils are welcoming lowering the speed limits on some roads! In New Zealand we have 8 road deaths per 100,000 people; in Australia there are 5 per 100,000 and in Sweden there are 1.2 per 100,000 people.
- Project Thrive – Alex Walker, Mayor Central Hawkes Bay, talked about turning her community around and taking them with the council; a major challenge - she had never been a mayor before, there were 7 new councillors and only 2 councillors remaining from the previous term. They achieved a LTP that the community was happy with and now they are delivering on it, albeit with a new CEO and leadership team; a good success story.
- Regional airports – there will be no new airports in NZ, it's just too hard to consent. Most people only have to travel one hour to an airport.
- Katie Milne, Federated Farmers. Farmers are doing a lot in the environmental space, but are not being given a full tool box of tools to work with; e.g. GE grasses to lower emissions are available but they're not allowed in the country. Farmers are not getting recognition for the work they do by the people in the cities (urban politicians included). Morale is low on farms. Prices for all commodities are good, apart from wool.
- Census 2018 - CEO. Tried to justify the poor performance of the census!

Cr Rawlinson comments:

- This was the first time I have had an opportunity to attend the Rural & Provincial Sector meeting, and found it a very valuable experience. It gave good insight to the steps of Governance – i.e.

District Level with ADC, Local Government Level at the meeting, and the information flow to and from Central Government. For any incoming and/or new councillors the learnings at this level would be helpful to have earlier in the 3 year term.

As others have reported on this event, I will summarise some of the topics in which I have strong interests.

- Peter Mersi, Interim CEO of the Ministry of Transport

Topic was Shifting Transport policy and working with local Government.

MOT is presently developing the 2021 Road Transport Statement. Working on how to address the challenges, this will take time, but change is underway. Developing a new speed management plan but say local knowledge needs to be incorporated into the changes. Having to rethink how people and goods are moved around New Zealand.

Below are some of his comments as quoted directly from his notes.

- *Safety is our top priority. We are all concerned about the deaths and serious injuries on our roads. We are all working to improve safety. As the former Chorus Chief Executive, I know the importance of providing good infrastructure and services to communities to keep people connected, improve their wellbeing and support the economic growth of New Zealand.*
- *The Transport Agency has a similar purpose reaching into the lives of all New Zealanders but this time, for me, it's in the transport of physical things.*
- *Our core functions are to invest in land transport activities, manage the state highway network and provide access to and regulate land transport.*
- *And we work with you, our co-investors partners, contractors and others to deliver on those functions.*

- *It is only by working together that we can confidently address nation-wide, region-wide, inter-region and inter-metropolitan issues to keep New Zealand moving and growing our economy.*
- **Regional Airports and Sustaining the Regions**
 Kevin Ward, CEO NZ Airports Assn, Mayors from Far North District, Whanganui and Kapiti all spoke. 38 Regions are served by an Airline Service. Big challenge is urban housing development and CEO suggests that proper consultation systems need to be in place to cope with this. He did state there will not be any new airports developed in NZ.
 The three Mayors spoke about the effects of Air NZ pulling out of servicing their respective airports. Chatham Air have stepped up and are doing an excellent job in redeveloping air transport out of the 3 regions.
- **Alex Walker, Mayor Central Hawkes Bay District**
 At 2016 election she became a new first time mayor, with 6 out of 8 new councillors, and 3 months into the term they had a new CEO. She was a very engaging speaker with some key priorities noted as being Values, Vision, Priorities and Issues, and people/communities need to be better connected to Councils.
- **Nathan Guy spoke on the state of play in provincial and rural New Zealand.**
 National are very concerned with the issues in Rural NZ. Planting 1 million trees on hill country is causing many issues such as land value going from \$6,000 p/hectare to \$13,000 p/hectare with overseas investment. Also concern expressed re Water Storage, Quality and Nutrients – with the good environmental work done by many farmers in the past 5 years they are ‘petrified’ as to where the climate /carbon changes may mean for the viability of farming. National are looking at a “Primary Sector Visa” for immigrants.
- **Eugenie Sage spoke on Portfolio Priorities as Minister of Conservation**
 She is one very focused lady and was very clear about the changes that need to be made around recycling and resource recovery parks. All prices have collapsed for the sale of plastics etc. She suggested that kerbside collections for some plastics may be about to be stopped. Chinese actions have highlighted a wakeup call for NZ.
 We all need to be better at correct recycling, and are to be encouraged to purchase only products/containers etc that can be recycled.
 Recycled packaging made in Porirua could be more widely used than imported non recycleable plastics
 In Hastings paper and cardboard is recycled into fruit trays for orchards
 Tyres – the industry needs to a product stewardship scheme. Providers need to take some responsibility for the re-use or recycle of tyres.
 Councils need to know their own landfill sites, and be prepared for closures, safety etc. Perhaps sites need to be kept away from natural hazards such as coastal areas, near rivers etc.

DONNA FAVEL
Mayor

5.14 Experience Mid Canterbury Quarterly Update

Statement of Intent KPI Reporting:

Last month it was reported that EMC had failed on two of its KPI in the 2018 – 19 Statement of Intent. We wish to comment further on this matter as seems to have reported incorrectly.

Firstly, under objective 2 – Maximise share of the districts tourism industry contribution to the organisation and marketing campaigns.

Performance Measure 1 – Increase the number of tourism partners compared to the previous year.

Our 2018 – 19 target was 70 business partners, our actual was a total of 47 business partners. The target was missed due to two key reasons.

1. The closure of the Ashburton i-Site had a significant impact on the local operators and whilst some agreed it was the right move to close the i-Site, many didn't as a consequence we weren't able to secure the numbers.
 - a. In the same year right or wrong we tried a new strategy to get the entry level tourism operators to join EMC at the second-tier contribution level to try and support income growth. The entry level was \$295.00 + GST to which we removed and replaced with what was the secondary tier level at \$800.00 a 63% increase. This strategy clearly didn't work in EMC's favour resulting in lower than expected business partnership numbers and a lower income source. I'm happy to confirm that we have reverted back to the original entry level for the 2019 – 20 financial year and we have already seen some recovery.
2. Under Objective 1 – Performance Measure 2 – Increase guest nights by 1% on the average compared to the previous years.
 - a. Council received a report for guest nights to **May 2019**. The annual Guest night results to May 2019 were reported at 204,054 against a 2018 – 19 target of 203,995 which is only a 0.29% above target, however we are still to receive the June 19 results for the end of the financial year.
 - b. Based on avg June numbers of approx. 12,000 guest nights we will meet this KPI at a 2% increase vs the performance measure of 1% increase.

Freedom Camping Performance:

We invested in a month-long marketing campaign with GeoZone starting in July, to engage with their App users when they near our district borders, we advertised key 'Things to do' and places to eat in the district during the campaign. This campaign has been extended by GeoZone till the end of August free of charge as its performing well.

Overnight stays in the Ashburton District of travellers using a Geozone App:

	Total overnight stays	Ashburton Area	Methven Area	Rakaia Area	South East Area	Other area's
Jan 19	2947	1427	394	239	198	689
Feb 19	2973	1591	357	218	164	643
Mar 19	2954	1543	391	225	175	620

Apr 19	1791	947	189	102	85	468
May 19	1860	967	272	107	92	422
June 19	1457	932	247	189	72	17

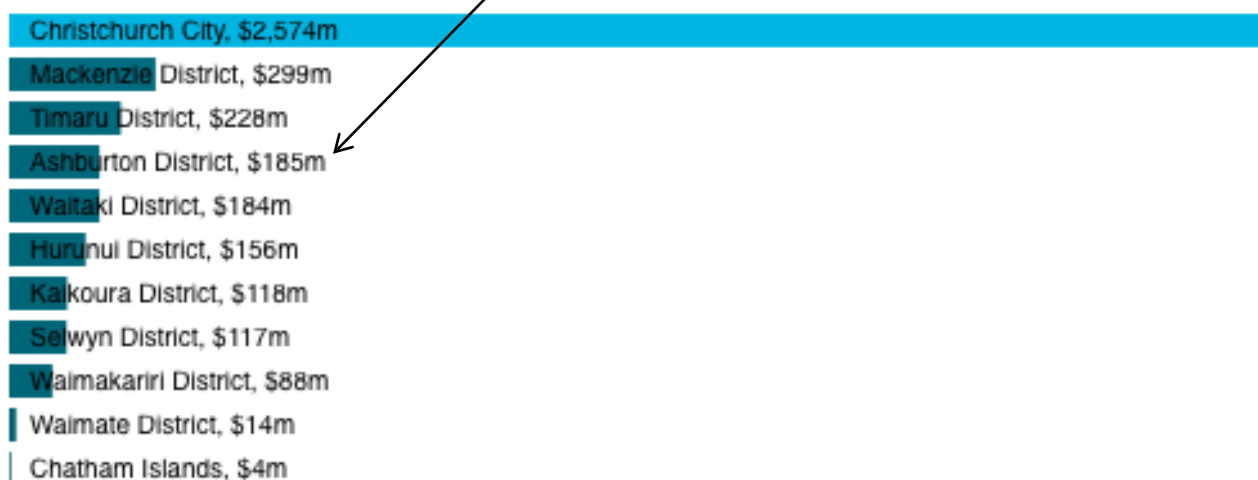
New Horizons Program:

As a result of EMC being a winning recipient of the Christchurch Airport New Horizons program, we have used some of the funding to create a new Chinese Trade website section, providing Travel agents in China with an interactive website list of the 23 Chinese trade ready operators in our district. Each of these operators have a listing translated in Chinese for easy of booking by the in-market Chinese agents. This website site will be released to the Chinese Agents when the EMC GM is in China courtesy of Christchurch Airport 04 – 14 September.

District Visitor Performance:

MBIE's Monthly Regional Tourism Estimates (MRTE) Visitor Spend Results are run March – March each financial year. Ashburton District reflected strong growth in overall visitors for 2019 – 2020 year. The year ended in March 2019 with a solid \$185m results vs 2018 – 2019 year at \$171m

Overall estimated Visitor Spend to June 2019 - \$185m



It should be noted that these figures do not include, Airbnb or any booking type made online prior to visiting the district. This data is from direct transactions at the EFTPOS, ATM machines within the district only.

Methven i-Site Visitor Information Centre:

Methven i-Site Visitor Information Centre has continued strong sales in the last quarter. Retail sales are quite consistent across the quarter.

	Jul-19	Jun-19	May-19	Apr-19	Mar-19	Feb-19	Jan-19	Dec-18
Income								
Gross Booking Sales	7,678.25	5,085.24	3,006.18	20,760.59	6,869.30	2,150.73	23,991.11	5,601.34
Retail Sales	7,736.17	4,658.78	3,184.83	3,408.75	3,302.83	3,214.96	3,127.92	3,946.66

Ashburton Library Information Centre:

We continue to monitor brochure stock on a weekly basis and answer tourism questions from the Ashburton Library staff. Below is the matrix of visitors attending the library from the information centre's inception:

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2017											23	75
2018	129	99	105	78	79	39	54	63	50	74	62	32
2019	53	62	91	68	60	20						

At the time of writing this report the July visitors numbers were not available.

Digital Marketing

In late July we filmed our final video set which focuses on Winter experiences in our district, including Mt Hutt Ski Area, Methven Heli Ski, Things to do in Methven on a closed day such as a farm experience, a visit to the New Zealand Agriculture and Alpine Encounter and of course taking in the off Piste entertainment at the Blue Pub and Ski Time resort. This video will complement the 3 other videos featuring land, air and water components of the district.

We ran a new social media campaign targeting residents to the North of the South Island travelling to Dunedin for the Fleetwood Mac Concert 21 September to stop, eat and stay in our district and not get caught up in the traffic delays. The post received 3,200 ThruPlays (people watching the video) and reached 7,800 screens. We will do a series of 4 more creatives leading up to the concert weekend.

Experience Mid Canterbury Tourism

Published by Bruce Moffat · July 25 at 8:58 PM ·

Have you got your tickets to Fleetwood Mac in Dunedin?

Don't get stuck in that traffic all day.

Stop in Rakaia, Ashburton or Hinds for a break, stay a while!

There's plenty to eat, things to do and places to stay. Or you can 'Go your own way'.

7,833 People Reached

39 Engagements

Boost Again

Boosted on Jul 26, 2019
By Bruce Moffat

Completed

People Reached	7.8K	ThruPlays	3.2K
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View Results

International Marketing:

- In June we led a Chinese Travel Agent group of 10 people on an educational trip around Mid Canterbury, the itinerary included Jetboating, Ski, and farm experience and dinner at Brinkley Resort and Terrace Downs.
- EMC along with 5 other Canterbury based regional tourism operators attended Tourism New Zealand South Island Welcome campaign training in Sydney, Brisbane and Melbourne, in each training event EMC trained 50+ travel agents on the key adventure experiences to do in Mid Canterbury, we focused on Heli-Ski, Rafting, Skydiving and Mountain Biking. Over the three day event we training 189 travel agents in 3 cities. This event is supported by Tourism New Zealand's "Good Morning World Campaign" where NZ residents from around NZ welcome the new day in for our global audience. There are 365 video being created for each day of this financial year, all of the videos are created by random New Zealanders and are completely un-scripted.
- In July we led a Chinese Inbound Travel agent group of 3 people on a weekend educational taking in Ski, the NZAAE, Farm experiences and a dinner hosted by EMC at Methven Resort.
- In September we take to the stage again at the annual Motorhome event in Hamilton, where we will continue to promote the district as a key stop and stay region for the coming peak season.

Governance:

It is with regret to advise the resignation of Bevan Rickerby, who has taken up a role with Ashburton District Council . Bevan resigned from the EMC Trust in July 2019. We will work with council management to identify a new board member to replace Bevan position.

Trustee Service Matrix – 01 July 2019 – 01 June 2020

EMC Trust deed was rewritten July 2014 to align all trustees to an October expiry date.

2018 / 19	Position	Start	End	Status
James Urquhart	Chair	14 Jul 2014	01 Oct 2020	3 years – Term 2
Anton Wilke	Deputy Chair	03 Dec 2015	29 January 2019	Resigned
Gary Lee	Trustee	26 Aug 2016	01 Oct 2019	3 years – Term 1
Bevan Rickerby	Trustee	01 Jul 2018	31 July 2019	Resigned
Sarah Jones	Trustee	01 Jul 2018	01 Oct 2021	3 years – Term 1
Gareth Reed	Trustee	01 Jul 2018	01 Oct 2021	3 years – Term 1

Quorum – 4 Trustees